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DEBATES
OF
THE SENATE
OF THE
DOMINION OF CANADA
1896

REPORTED AND EDITED BY
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SIXTH SESSION—SEVENTH PARLIAMENT



OTTAWA
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THE DEBATES

OF THE

SENATE OF CANADA

IN THE

SIXTH SESSION OF THE SEVENTH PARLIAMENT OF CANADA, APPOINTED TO MEET
FOR DESPATCH OF BUSINESS ON THURSDAY, THE SECOND DAY OF
JANUARY, IN THE FIFTY-NINTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA

Ottawa, Thursday, Jan. 2nd, 1896.

THE SPEAKER took the Chair at 2.30
p.m.

PRAYERS.

THE SPEECH FROM THE THRONE.

At Three o'clock p.m., HIS EXCELLENCY, the Right Honourable Sir JOHN CAMPBELL HAMILTON-GORDON, Earl of Aberdeen; Viscount Formartine, Baron Haddo, Methlic, Tarves and Kellie, in the Peerage of Scotland; Viscount Gordon of Aberdeen, County of Aberdeen, in the Peerage of the United Kingdom; Baronet of Nova Scotia, Knight Grand Cross of the most distinguished order of St. Michael and St. George, &c., &c., Governor General of Canada, being seated on the Throne, The Speaker commanded the Usher of the Black Rod to proceed to the House of Commons and acquaint that House,—"It is His Excellency's pleasure they attend him immediately in this House," who being come with their Speaker, His Excellency the Governor General was then pleased to open the Session by a gracious Speech to both Houses.

*Honourable Gentlemen of the Senate :
Gentlemen of the House of Commons :*

In accordance with the announcement made during the last Session, Parliament has been summoned somewhat in advance of the usual period.

The bountiful harvest with which Canada has been blessed is a cause for the deepest thankfulness to the Giver of all good.

I congratulate you upon the evidence of increased activity in the various branches of commerce and industry.

Several such indications have come under my personal observation during a tour made recently in the North-west Territories and British Columbia. In particular, I noticed the extension of mining enterprise in British Columbia, where the vast mineral resources are in certain localities being now developed and utilized upon something like an adequate scale.

A special feature of the same tour consisted in the opportunities obtained for visiting a number of the Indian Reservations and also the Indian Industrial Schools. On the former I was received with hearty demonstrations of loyalty and goodwill, while in connection with the latter the proofs of proficiency and intelligence on the part of the children were highly encouraging.

As to the work of the Indian Department as a whole, the manner in which it is directed and administered appears to be very satisfactory.

A reference to these topics would be incomplete without an allusion to the valuable services of the North-west Mounted Police, which may justly be regarded by Canadians generally as indispensable, under present conditions, to the well-being of those extensive and promising portions of the Dominion in which they are stationed.

Immediately after the prorogation of Parliament my Government communicated through the Lieutenant-Governor of Manitoba with the Government of that province, in order to ascertain upon what lines the local authorities of Manitoba would be prepared to promote amendments to the Acts respecting education in schools of that province, and whether any arrangement was possible with the Manitoba Government which would render action by the Federal Parliament in this connection unnecessary. I regret to say that the advisers of the Lieutenant-Governor have declined to entertain favourably these suggestions, thereby render-

ing it necessary for my Government in pursuance of its declared policy to introduce legislation in regard to this subject. The papers will be laid before you.

I am happy to inform you that the representations of my Government and the suggestions of the Ottawa Conference respecting steamship communication have resulted in an announcement by the Imperial authorities of their willingness to grant a substantial subvention towards the Atlantic portion of the scheme. This will, I trust, ensure the successful establishment of a line of steamers between the United Kingdom and Canada, which, in point of speed and equipment, shall fully meet all requirements.

My Government have also learned with satisfaction that it is the intention of the Secretary of State for the Colonies to appoint a Committee to consider a proposed Pacific Cable to connect Canada with Australasia. You will, I am sure, share the gratification with which my advisers welcome these announcements as affording further evidence of the desire of Her Majesty's Government to draw closer to each other and to the motherland the outlying portions of the Queen's Dominions. The papers on these subjects will also be submitted to you.

Your attention will be asked to measures intended to provide for the better arming of our militia and the strengthening of Canadian defences.

The growth of population in the North-west Territories as disclosed by the last enumeration calls for additional representation in Parliament. A Bill for this purpose will be laid before you.

I am happy to be able to inform you that the Commissioners appointed by Great Britain and the United States for the purpose of delimiting the boundary between Alaska and Canada have concluded their labours and have signed a joint report for presentation to their respective Governments. This report will be laid before Parliament in due time.

At the request of the Right Honourable the Secretary of State for the Colonies a delegate of my Government visited England last summer to confer with the Imperial authorities upon the question of Copyright. His report will be laid before you, and I doubt not that this subject will again receive your earnest attention.

You will also be asked to consider measures for the extension and development of our trade in agricultural products with the United Kingdom, and other markets.

Gentlemen of the House of Commons ;

The accounts of the past and the estimates for the ensuing year will be laid before you. The latter have been framed with every regard for economy consistent with the requirements of the public service.

You will be pleased to learn that the revenues of the country show a gradual and continuous increase, and that the promised equilibrium between income and expenditure on Consolidated Fund account for the current year bids fair to be realized.

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

I commend these subjects and others which may come before you to your earnest consideration, re-

lying upon your wisdom and prudence under the Divine guidance to discharge with dignity and effect the high trust committed to your care.

His Excellency the Governor General was pleased to retire, and the House of Commons withdrew.

BILL INTRODUCED.

'Bill "An Act relating to Railways."—
(Sir Mackenzie Bowell.)

THE ADDRESS.

MOTION.

The SPEAKER reported His Excellency's Speech, and the same was then read by the Clerk.

Hon. Sir MACKENZIE BOWELL moved that the Senate do take into consideration the Speech of His Excellency the Governor General, on Wednesday next, at three o'clock in the afternoon.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, January 7th, 1896.

The SPEAKER took the Chair at eight o'clock.

Prayers and routine proceedings.

NEW SENATORS.

The following Senators were introduced, and having taken the oath of office and signed the roll, took their places :

Hon. Sir Wm. Hales Hingston.

Hon. Josiah Wood.

Hon. James O'Brien.

Hon. Joseph O. Villeneuve.

Hon. William Owens.

THE MINISTERIAL CRISIS.

Sir MACKENZIE BOWELL—I have an important statement to make to the House. Since the opening of Parliament seven of the ministers have tendered their

resignations to the Prime Minister, which were submitted to the Governor General and accepted by His Excellency. The resignations which have thus been accepted are those of the Hon. Geo. E. Foster, Minister of Finance; Hon. John Haggart, Minister of Railways and Canals; Sir Charles Hibbert Tupper, Minister of Justice; Hon. W. B. Ives, Minister of Trade and Commerce; Hon. A. R. Dickey, Minister of Militia and Defence; Hon. W. H. Montague, Minister of Agriculture, and Hon. John F. Wood, Controller of Customs. At the next meeting of the House I hope to be in a position to state definitely what course the government has taken or intends to take under the circumstances, and considering the gravity of the situation I have to ask that when the House adjourns to-night it stand adjourned until to-morrow at eight o'clock. It is not usual, I believe, upon occasions of this kind to make explanations at any length until the action of the government, whatever it may be, has been taken in reference to the filling of vacancies, or the organization and formation of a new government. I shall act on this occasion in accordance with English precedent. I have simply to say, in addition to the remarks which I have already made, that I believe in another place one of the gentlemen who retired from the Cabinet has made a statement giving his reasons therefor. I have not yet had an opportunity of reading it, but casually heard some of it, and am not in a position to discuss the subject to-night. I must, therefore, ask the indulgence of the House for at least 24 hours, when I shall be in a much better position to deal with that statement as it deserves. In making this request, I have no desire to shirk any of the responsibilities which devolve upon the head of the government in dealing with the matters referred to in the Speech from the Throne. As I have said, I have not seen the statement to which I have referred, nor was that courtesy extended to me, as the head of the government, of handing me a copy of it, in order that it might be dealt with properly. I, therefore, ask the House to permit me to postpone the matter until it appears in the press to-morrow, when I can deal with it on its merits. If my ears did not deceive me in what I heard of it, I can only say that it was uncalled for, that it was undignified, that it was unfair to the head

of the government, for the time being. To say that much is, I think, saying very little. I leave that to the gentleman who thought proper to make the statement, and if it satisfies him and his friends, I can only appeal to the judgment of the country, in defence of the course which I have taken. I shall add this, however—the declaration that I made in this House just before its prorogation last year in reference to the future policy of the government upon the great question which is agitating the people of this country, will be, so far as I am concerned and so far as I can influence, carried out to the letter. I have yet to learn that it is my duty as a public man to do otherwise. Having enunciated a principle, firmly believing as I did, and as I supposed all my colleagues did, that it was a sound principle—that it was but doing justice to a portion of this Dominion and maintaining the provisions of the constitution, and giving to a portion of Her Majesty's subjects who have been deprived of their rights that which the constitution and the highest court of the realm stated that they were entitled to—I feel it my duty, as far as in my power lies, to see that the remedy is given. It is to me a subject of deep regret that any difference of opinion should prevail among gentlemen who had formed a deliberate opinion upon a course which, I regret to say, led one of my colleagues in whom I had the most unbounded confidence and respect to leave the government last year, because we did not act at that time, and because we asked for delay in order to give the province whose autonomy it is asserted will be interfered with, time at least to consider the grave question with which they and which we had to deal. We were accused of having no other desire but to so put off and delay the question that it might be ultimately defeated (to use a familiar but not very elegant expression) by some fluke. Whether that was the intention of those who have taken a different course from the gentlemen who have remained in the Cabinet, I am not prepared to say. I shall content myself at the present moment with the few remarks that I have made, and when the proper time arrives, when it will be necessary to deal with the statement which has been made in another place, I trust I shall be enabled to make such an explanation in reference to myself personally—the statement to which I have referred having had

relation to me to some extent—and to the policy of the government of which I have been for some little time the head, as will be satisfactory to the Senate. I now move that when this House adjourns to-night it stand adjourned until to-morrow evening at eight o'clock.

Hon. Mr. SCOTT—I do not rise to oppose the motion of the hon. leader of the House, but to express my regret and the regret of the House, and I think also of the people of Canada, that the Premier has not availed himself of the earliest opportunity to give an explanation of the extraordinary circumstances which have transpired within the last three days. It was a matter of very great surprise not alone to you, hon. gentlemen, but also to the people of Canada, when on Monday morning it was announced that seven members of the Cabinet had resigned. So unprecedented a step was new, not only in the history of Canada, but to most countries under constitutional government. It was but one year ago, when the great Conservative party of this country felt that there was but one man who could properly be selected to fill the place rendered vacant by the death of the late Sir John Thompson. The press of this country, and the public sentiment of the party to which the hon. gentleman belongs, singled him out as the very best man to unite the party at that time. We should hear, and I think the country has a right to know, the causes that have led to this extraordinary divergence of opinion in the short period of one year. I understand an explanation has been made in another place by a gentleman who was the Minister of Finance, and if he has been correctly reported in the newspaper that was published this evening, our surprise is all the more increased. He is reported to have said :

There is no disagreement between ourselves and the Premier upon any question of public policy, trade or constitutional question with regard to which action has already been taken, or in respect of which an attitude has been assumed by the government under the present Premier.

That statement seems very extraordinary. It makes an explanation all the more necessary at the earliest possible period that it can be given. What is the deduction? What is the insinuation thrown out? That the Premier of this country is not mentally capable of leading the party which he was

selected to lead a year ago. I scarcely think that the opinion of the people of Canada will confirm the statement made by the ex-Minister of Finance. Certainly the universal verdict will be that the time selected for the resignation was in all respects a most extraordinary one and a very unfair and improper one. No later than last July the government announced, in a written statement solemnly arrived at, a particular line of policy to be pursued in reference to this unhappy question which has disturbed the people of this country for the last three years. There was no hint then of a want of unanimity in the personnel of the administration; but need I go back five or six months? Why, only last week, in this chamber, His Excellency's advisers placed a paper in his hands in which they laid down their policy in reference to this important question; and yet before this speech is answered, before the ink is dry, we find that seven gentlemen leave the cabinet, giving the public no explanation other than the meagre one that was given in another place to-day. I say it is most extraordinary and is entirely without precedent. English history affords but one instance of its having occurred, and that was in the reign of Charles the Second; but my recollection is that in Canada no event of a similar character has occurred, except in reference to the manner in which the late Sir Allan McNab was driven from the premiership. But in that case the circumstances were different, and there was no striking below the belt. Sir Allan McNab had been in feeble health and not like the Premier, who has shown extraordinary vigour in the last few months. He was not able to remain in the chamber for any length of time, and the public press of Upper and Lower Canada demanded that a change should be made. A question came up in the House, not a very important one, in which the government were defeated on what was known as the double majority; that is, they were unable to command a majority of members from Upper Canada and Lower Canada, and that was made a pretext for the change, and Sir Allan McNab reluctantly was obliged to retire, in consequence of four of his ministers resigning. That is the only instance in Canadian history of a similar event occurring, and I think it is a matter of very great regret that such an incident has come

up in our day. The injury done to the public men of this country by acts of this kind, is very serious. We all desire that the public men of Canada, no matter to which political party they may belong, should stand well in the eyes of the people. The position of a minister of the Crown should be a synonym for honour and integrity and for all that is high and proper. Although charges may from time to time be brought against ministers, it has never in the past been charged that they could be guilty of a conspiracy against their leader, and, therefore, I feel it is a matter of great regret, and when the future historian of Canada comes to refer to the incident it will be marked with severe censure. I think, therefore, it would be very much better if the leader of the House and the Premier of this country could himself have given his explanation of the causes that have given rise to this extraordinary revolt. It is not necessary for him to be obliged to comment upon the utterances of gentlemen who have made their statements in the other Chamber. We should have preferred to hear from himself what he believes to be the causes which have led to this extraordinary action.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, January 8th, 1896.

THE SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

NEW SENATORS.

The following Senators were introduced and having taken the oath of office and signed the roll took their seats :

Hon. James Cox Aikins.

Hon. Geo. Bernard Baker.

Hon. Michael Adams.

THE LATE SENATORS KAULBACH AND MURPHY.

Hon. Sir MACKENZIE BOWELL—
The sad event which occurred this afternoon,

by which the Senate has lost one of its oldest and most respected members, makes it incumbent open me to pay a tribute of respect to his memory. It was with surprise and deep regret that I was informed this afternoon of the sudden death of the late Mr. Kaulbach. The event only impresses upon us the uncertainty of life. Last night about 10 o'clock Mr. Kaulbach met me with half a dozen gentlemen who were standing about, and in his usual jocular manner asked me whether they were all applying for the vacant portfolios. Little did any of us think that the Senate should be called upon, in less than twenty hours afterwards, to lament his death. It is impossible for me to refer to our late colleague in terms suitable to the occasion. I can only say that I express, I am sure, the sentiment of every one here present when I state that we not only deeply regret his death, but that we sympathize to the fullest extent with his family and connections in their bereavement. It devolves upon me also to refer to the death, since last session, of one of the oldest and most respected members of the Senate—a man, from what I knew of him, who had not an enemy in the world, one who was esteemed—renowned, in fact,—for his charity and his good deeds. I speak of the late Edward Murphy, senator from Montreal. It has been my melancholy duty since I have occupied a seat in this honourable House to refer at each session, in terms of regret and also in terms of praise, to some of its members who have been taken from us by death. I shall not enlarge upon the subject ; those who knew the two gentlemen better than I did, can speak of their good qualities and of their virtues, not only at greater length but much more effectively than I possibly can. Under these circumstances, I shall ask the House to adjourn until to-morrow at three o'clock, when I shall be in a position, beyond a doubt, to state what course the government intend to pursue in reference to the vacant portfolios. I make this positive statement in order that the Senate, and the popular body, and the people may no longer be held in suspense on a question of such a grave character and of such momentous importance to the country. I have nothing to add further than to remove a misapprehension which I am led to believe exists in the minds of some of the honourable Senators, and others, who listened to my closing remarks last night when referring to my late

colleagues who had retired from the government. I was understood to impugn the truth of the statement made by the late Finance Minister in regard to their position upon the great question which is dividing the people of Canada to-day. I had no intention of leaving the impression upon the minds of my hearers, or insinuating that those gentlemen were not honest, or that they intended to abandon the policy which had been adopted last year and which was re-affirmed this year in the speech from the throne. If any such impression was left upon the minds of those who heard me, I wish to disabuse them of any thought that there was a desire on my part of casting such an imputation upon them. I take it for granted that after being parties to the speech which was placed in the hands of the representative of our sovereign, and after the statement made by Mr. Foster in the House of Commons, they were in full accord with the policy therein enunciated, and that there was no difference of opinion upon that great question between myself (whom they rather belittled and to which I shall not refer at the present moment) and themselves. Another false impression has been published in the papers and insinuated by members; in justice to Sir Charles Tupper, Baronet, I wish to say that his visit to Canada was at my special request and for the purpose of giving us his valuable assistance and advice upon two great questions which we proposed to consider—to give us information, so far as he could, as to the policy of the British Government in aiding the establishment of a fast line of steamers between England and Canada and the proposed Pacific cable. I make this statement in justice to the High Commissioner, who is now in Canada, and to whom many improper motives have been ascribed. I have nothing further to say upon that point beyond assuring the Senate that his visit to Canada was upon a cable sent to him by myself for the reasons that I have indicated. These are questions which will be discussed in the future and which I have no doubt will receive that consideration due to subjects of such magnitude. I move that the House do now adjourn.

Hon. Mr. SCOTT—In reference to the allusions which the leader of the House has made to the death of two senators, I feel that I voice the sentiments of every member in

this chamber when I join the premier in giving expression to our sorrow at the loss which this country, and this chamber particularly, has sustained in the death of the two hon. gentlemen to whom he has referred. The death of Senator Kaulbach came with such extreme suddenness that it has been a shock to all of us. Death at all times gives a shock, but to-day at three o'clock, when many of us were present at the time the spark of life was leaving our friend, the shock was a very severe one. Senator Kaulbach had, up to a few moments before his death, been as light hearted as usual, giving expression to jovial sentiments, joking with his friends, several of whom were with him at the time he fell in the corridor. I had myself a pleasant conversation with him but a very few hours before, and arrived at the scene just at the time life was departing. Senator Kaulbach, under a somewhat brusque exterior, was a gentleman who had very kindly feelings. He was an eminent lawyer, and took a very great interest in the affairs of parliament, and it was universally admitted that in the committees his sympathies were always with the weaker party. I am quite sure that every member of this chamber will unite in giving expression to feelings of sympathy at the terrible loss which his family have sustained in his sudden death. Referring to our friend, Senator Murphy, I am sure there is a universal regret among all of us at his being taken away. Senator Murphy was very much more advanced in years than Senator Kaulbach. I think there must have been a difference of at least fifteen years. Senator Murphy had gone beyond the three score and ten span of life, but his activity up to the last moment of his life was singularly great. A kindly gentleman, having no enemies, full of ambition to perform benevolent acts, he was ever doing good. Associated with many—in fact nearly all—of the charitable institutions of Montreal, he was not only a well known, but a very much liked person in that community. He had endeared himself to every one who knew him. His manners were so gentle, so sympathetic, so touching, so kindly, that, as has been observed by the premier, he was actually without an enemy. His family have our deep sympathy, and I am quite sure I am giving expression to the feelings of every senator here when I say that we deeply regret his loss.

Hon. Mr. DICKEY—In view of the sad and sudden catastrophe which has befallen our departed friend, the late Senator Kaulbach, I cannot deny myself the melancholy satisfaction of joining in the tribute of respect to his memory. He was a contemporary of my own in his neighbourhood, and a member of the legislature of my native province for a considerable portion of the ten years that I spent in the Legislative Council of Nova Scotia, and he continued to represent the County of Lunenburg with great advantage to them and credit to himself for several years after Confederation before he was called to this House. I am bound to say that he was a most diligent and painstaking member of this House, and I must add that, while he was a man of strong convictions, he was yet a man of generous impulses. He had a warm heart, and no one truly deserving of aid ever appealed to him in vain. I cordially endorse what has been stated as to the character and conduct of our late respected member, Senator Murphy; but reverting for a moment to my colleague from Nova Scotia I may say further, that while he was not without his failings—and which of us—to state that is only to admit that he was human, for we know that “to err is human, to forgive divine.” I trust the House will respond to the appeal which has been made to their sympathies in behalf of the widow and the family of our deceased and respected friend. In conclusion, we may say of him, as was said of one of the greatest legislators, that while he was true to his country and true to himself, he never failed in the performance of duty. I feel, hon. gentlemen, that, in the presence of a calamity such as the one which befel within the corridors of this House which had shared his labours, and almost in my own presence this afternoon, I am quite incapable of paying a proper tribute to his memory. We are all human, and therefore we all unite in this tribute to his memory

“Be to his faults a little blind,
Be to his virtues ever kind.”

Hon. Mr. POWER—The usual practice in the House upon occasions of this kind is to rest satisfied with the observations which may be made by the leader of the Government and the leader of the Opposition, with, perhaps, the addition of remarks by one or two others who were intimate friends of the gentleman whose departure is taken notice

of. On the present occasion, however, I venture to trespass on the patience of the House for a few moments, because, I think, these cases are somewhat exceptional. Mr. Murphy was a gentleman with whom I was not intimate. I had but a slight acquaintance with him, but I knew him well enough to know that he was, in the truest sense of the word, a Christian gentleman; and I think when one says that, he is saying a great deal. My association with my deceased friend, Mr. Kaulbach, was somewhat different. I have had a good deal to do with him ever since I became a member of this House, and although hon. gentlemen who have been members of the Senate for any length of time, are quite aware that we did not see eye to eye on political questions, still, our friendly personal intercourse was never interrupted. A great many people who regarded only the exterior, were apt to think, perhaps, not as highly of him as if they had known him better. He showed his worse side to the public, being a little brusque in his manner; and he had a pretty decided temper, generally expressing his feeling vigorously and freely; but, as has been said by the hon. gentleman who has just sat down, he had a generous heart; and I think I am safe in saying that there was no member of this House to whom one actually in need of help could apply with more confidence. At his own home, in the town of Lunenburg, he dispensed hospitality on a scale that was almost princely. Every friend who came to Lunenburg was assured of being treated with the most free-handed and lavish hospitality. As has been said, he was particularly attentive to his duties as a member of this House; and although I, myself, and a great many other gentlemen, held upon many questions, views differing from his, I think we are all agreed that the late Senator conscientiously entertained the sentiments which he was wont to express; and that although we might fight with him here or in the committees, there was no ill-feeling involved. I hope that his widow and family may draw some slight consolation in their affliction from the expressions of feeling here to-night.

Hon. Mr. OGILVIE—I do not generally take up very much of the time of this House, but I feel that on the present occasion it is almost impossible for me to refrain from

saying a word in regard to our late friend Senator Murphy. I knew him intimately for over forty years, and what my hon. friend, the senior member for Halifax (Mr. Power), has said about him is strictly and perfectly true. Not only would it have been hard to find a better man, but I am safe in saying that as good a man as Senator Murphy is rarely to be found in any community; and, as the hon. Premier has very properly said, I do not think he had a single enemy. That is a very exceptional thing with a man who has dealt so largely with the public in many ways, having been one of the first merchants of Montreal, and a member of a firm which is probably better known throughout the Dominion than almost any other. But Senator Murphy, besides being a public benefactor, was accustomed to do good in a way that many people would not take the trouble to follow—that is to say, doing it in person. Though he was a weak and delicate man, it was his custom to go out to all parts of the city, both day and night, on errands of kindness. I doubt very much if there are many men in the Dominion of Canada more sincerely and truly beloved by their own families. His widow is still so overcome with grief that she can hardly receive or converse with any one, and his daughters were simply prostrated by the bereavement, so that the doctors despaired of their lives. He was a kind and good man in every respect and to my knowledge he occupied very many trying positions in the course of the last forty years. It mattered not to him to what party a man belonged: prejudices, either in nationality or religion, had no hold on him—if he could do good he was ready to do it everywhere and at all times.

The motion was agreed to.

Senate adjourned at 8.45 p.m.

THE SENATE.

Ottawa, Thursday, January 9th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE MINISTERIAL CRISIS.

Hon. Sir MACKENZIE BOWELL—
In the few remarks which I addressed to the

Senate ye-terday, I indicated that I should be in a position to day to state definitely to the House what course the Government propose to pursue under the present trying circumstances. I need scarcely state that English history furnishes no precedent for the position in which we find ourselves to-day. There have been many occasions upon which members of a Cabinet have resigned their portfolios and have broken up governments, but there is no precedent that I have been able to discover, nor have those who are learned in the law, or who have made constitutional practice their study, been able to put their finger upon a single instance in which a Cabinet, apparently united, met Parliament and placed an address affirming the principles and policy of the Government in the hands of Her Majesty's representative and then, after having asked for an adjournment of three or four days, in the interim between the delivery of the address and the assembling of Parliament again, that seven ministers, or in fact any portion of a Cabinet, have sent in their resignations. I need scarcely say that we are, or have been, establishing a precedent which I trust in the future, no matter what party may be in power, will not be repeated. For our own credit let us endeavour to follow, as far as possible, the precedents which we find in the motherland. They have had a long experience in constitutional government. Precedents have been laid down under the constitution, which as you all know is very elastic. They are not limited as many other countries are, particularly the country to the south of us where they have a written constitution, within the provisions of which they have to abide upon all occasions, unless where disputes are carried to the Supreme Court for a decision; or the people of the nation by a two-thirds majority may change the provisions of that constitution. In this country we are not so hampered. We have had an illustration of it since the opening of Parliament. We have had a government meet Parliament with an avowed policy, and in a few days afterwards a majority of that Cabinet retire for reasons which were given to the public in a statement made by my late colleague, the Hon. Mr. Foster, ex-Minister of Finance, speaking as he did for those of his colleagues with whom he was acting. Those reasons had no relation, strange to say, to state policy. They were not reasons which would justify

members of the government in retiring from the Cabinet, unless there was something in the character or reputation of its head which would warrant their leaving and refusing in future to associate with him. Whether such a state of things exists I leave to the judgment, not only of this House, but of the country in which I have lived for the last sixty-two years. These gentlemen in their statement make one important admission which I shall read, because I am desirous of having it placed upon the records of the Senate, though some portions of it reflect upon myself—not upon my moral character, not upon my political character, for I defy any man whether he be a political opponent or a political friend, from one end of the Dominion to the other, though I had served my constituency for twenty-five consecutive years, during seventeen and a quarter of which I have been at the head of some of the most important departments in the state—to put his finger upon a single act of either political or moral dishonesty. It may be thought that I feel somewhat warmly upon a question of this kind. You will come naturally, I think, to the conclusion that one who has been so long in public life, and has served under the most brilliant statesmen that have ever graced the Parliament of Canada, and who has remained in the Cabinet for no less than seventeen and a-quarter years while all the rest have either retired or passed away, must have something at least in this old gray head that justifies his retention of a position of that kind, notwithstanding the disparaging remarks of those men who have left the Cabinet over which I preside. It is not my habit in private life, and still less in public life, to boast of my achievements and acquirements. No man in this assembly knows better than I do how ill-fitted I have been for the important positions which have devolved upon me, but I say this, and I desire to say it so that it may be handed down to my children and others, that whatever position in life I have occupied, whether it has been in the Commons of Canada, in the Senate, or in the council of my country until I reached the highest State office so far as political aspirations are concerned, I have never sought, directly or indirectly, from friends or from any one, for any of those positions. When as a young man I was dragged from my business and asked to con-

test a constituency, it was against my own inclination that I became a candidate. I positively refused until forced into it by the party to which I have adhered, I hope with fidelity, throughout my political life. I say that because I am firmly of the conviction—I dare say my friend who sits opposite me will not acquiesce—that the maintenance of the Conservative party in Canada is essential for the prosperity and good of the country. I make that explanation as a reason why I have adhered from boyhood to my early opinions. I know of no party that has for the basis upon which it acts a more firm and fundamental principle than that of adhering strictly to the constitution that guides us. Now, I do not desire to dwell at any great length upon the personal part of this explanation. I have however to state, after a long life in this country, working my way up from the printer's desk to the position which I hold to-day, that I can appeal with satisfaction to the whole country, and more particularly to those with whom I have been associated the most of the time, to say whether I have faithfully fulfilled the duties pertaining to the different positions which I have filled, or whether I have been a failure. I have been successful in every position in life which I have held, having risen to the top wherever I have been placed. Even in the present trying circumstances I hesitate not to say, and to say it boldly—I would not have stated it had not such reasons been given to the House as the cause which induced these gentlemen to leave the Government—that had I had that loyal support which every Premier ought to receive in the arduous duties incident to the governing of a country, such support as was given most loyally to my late chief, Sir John Macdonald, and Sir John Thompson, we would have been just as successful in carrying on the affairs of the Government as my predecessors, though not possessed of their measure of ability or political tact. No one felt his inability more than I did when I was placed at the head of the Government, following such men as the Right Hon. Sir John Macdonald, Sir John Abbott and the Right Hon. Sir John Thompson, whom we all knew and revered, not only individually but for their intellect and their ability. Had not jealousy and a determination to destroy the usefulness of the head of the Government been firmly rooted in the breasts of those with whom I was associat-

ed, I flatter myself that we should have been successful in carrying on the affairs of this country. Now, for the purpose of placing it on record, I shall read what Mr. Foster stated in the House of Commons. He started out with this declaration :

I may say in the first place there is no disagreement between ourselves and the Premier upon any question of public policy, trade or constitutional, with regard to which action has been already taken, or in respect to which an attitude has been assumed by the Government under the present Premier. I beg also to say that we retain our firm belief in the principles and policy of the Liberal-Conservative party, with which we are in entire accord, and of which, in common with others, we have been and will remain the exponents in so far as our ability admits. We have lost none of our confidence in the sound and healthy condition of the Liberal-Conservative party of Canada, or of our belief that it embodies a policy which the majority of the electorate considers essential to the continued welfare and progress of the country, or of our faith that under firm and prudent leadership it will come back triumphant from the polls.

In that respect, in sentiment and in feeling, I am fully in accord with my late colleague. He states that there has been no difference of opinion between us. That being the case, can any of you conceive why, after the opening of the session, after the Speech from the Throne has been given not only to Parliament, but to the whole country, you should find seven members of the Cabinet sending in their resignations, simply because they did not like the gentleman with whom they had been so long associating, some of them for eight or ten years, and whose ability and character they knew just as well as they do to-day. I readily admit that I never assumed to possess that gigantic intellect with which these gentlemen who have retired from the Cabinet have been endowed. Not at all. All I claim for myself is, moral honesty, a firm conviction of what is right, and determination under all circumstances, whether it accords with the prejudices of one party or another, to endeavour to carry out what I believe to be for the best interests of the country. Now comes the main part of the explanation :

Though with many misgivings we agreed to enter the Government under Mr. Bowell in succession to Sir John Thompson, we have nevertheless unitedly and loyally striven to the best of our ability to make it strong and efficient, and it has been with growing regret that we have seen our efforts in a measure of success less than that for which we had hoped and striven. We are of the opinion that the Liberal-Conservative party ought to be represented by the strongest Government

possible to be secured from its ranks, that the necessity therefor was never greater than under existing circumstances, and we believe that such a Government can be formed without delay. This we have repeatedly urged upon the Premier with the result that we found ourselves face to face with Parliament having a Government with its numbers incomplete, and with no assurance that the present Premier could satisfactorily complete it. Under these circumstances we thought it our duty to retire, and in this manner to pave the way, if possible, for the formation of a Government whose Premier could command the confidence of all his colleagues, could satisfy the Liberal-Conservative party, that its strongest elements were at its head and impress the country that it had a Government which was united and had power to govern. We affirm with the utmost sincerity that the action we have taken has sprung from no feeling of personal dislike or personal ambition, but has been solely dictated by our wish to sink all minor considerations in the presence of our great desire that the best interests of our country should be duly conserved.

I might naturally, I think, ask if these reasons were the sincere convictions of the gentleman who wrote them, or of the others who acquiesced in the sentiments? If so, how is it that the discovery was not made until we were in the beginning of a session, until it was impossible almost to proceed with the business of the country without having not only a disintegration of the Government itself, but treating the people of the country with, I was going to say, comparative contempt? Surely my colleagues knew my incapacity to govern before the meeting of Parliament and long before they sent in their resignations? Surely they could not have come to the opinion in so short a period that I was unfit to continue at the head of this Government? What occurred between the writing of that speech, the placing of it in His Excellency's hands, the meeting of Parliament, and the delivery of that speech by His Excellency? What, I ask, could possibly have occurred, or what have you been told occurred, during those two or three days to lead them to the conclusion which impelled them to take so important a step as they have done? Had they come to me previous to the meeting of Parliament, had they met me in council and said, "We disagree with the policy which you have laid down;" had they said that there was, in any single particular, a difference of opinion upon the great issues that were agitating the people of the country, and they could not, by any possibility, be a party to it; or had they gone further and said, "After one year and a quarter's experience of you as head of the Government,

we have lost confidence in your ability to continue to direct the affairs of the country," then I could have understood it. Then I could have said, "Take the reins of Government; I will not stand in the way." And I never shall stand in the way of the future success of that great party to which I have had the honour of belonging from boyhood up, and towards which I have done something for its prosperity and continuance in governing. You will note, however, one sentence in this explanation which might leave a false impression upon the minds of the readers in the country. I refer to this paragraph:—

This we have repeatedly urged upon the Premier, with the result that we found ourselves face to face with Parliament having a Government with its numbers incomplete, and with no assurance that the present Premier could satisfactorily complete it.

He says "nevertheless we have unitedly and loyally striven to the best of our ability to make it strong and efficient." That is referring to the Government. I shall not comment upon that statement. I could, however, characterize it in other language than that in which the sentence is couched, and more than that, with no less degree of truth. Then they state that they waited upon me repeatedly, in order to insist upon the Government being strengthened in its personnel. That is quite true, but is there a single word in any of those sentences which would lead you or might lead others, after what has been whispered about the country, to conclude that it was the head of the Government they were striking at instead of the other members of the Government? It is true that they waited upon me and pointed out the necessity of strengthening the Government, as all governments ought to be strengthened, and according to my own views, I should acquiesce in any proposition of that kind, and there were intimations at those interviews pointing to certain members of the Government who, in their opinion, ought to go out. Certainly they never meant themselves, because from their statement one would suppose that all the wisdom was concentrated in their craniums. But there were others of whom they had not such exalted opinions; had they intimated to me that I was one of them, I should have made way for them, but I heard nothing of that until two days after Parliament had met. I make this explanation in order that I may show the nature of their anxiety for the strengthening of the Government. My hon. friend opposite

me has had some little experience during the five years he had the responsibilities of office resting on his shoulders. At least if he had not, the newspapers of the day and rumours of political opponents were not correct. Having said that much in reference to this explanation, and so far as it affects myself personally, I leave it; and I leave myself, whatever may be my future, in the hands of my countrymen who can judge whether a life of some 50 years, to a greater or less extent spent in politics, in conducting a journal advocating the policy of the party with which I have been connected from its inception until the present day, and about 30 years of parliamentary life, justifies the position that my late colleagues have taken or the imputation which they have cast upon my character and on my reputation as a politician. I leave it to the country and to those who know me, and to those who do not know me—to those who are directly my political opponents—to say whether my conduct has ever been otherwise than that of a straightforward, perhaps a blunt politician, always ready to express my sentiments and to cast my vote with my party in the interests of the country, and with some little ability at least. Now there is another point which I think it is just as well to deal with:—They say they retired because the Government is not complete. Let me ask of those who have read parliamentary history, let me ask of those who have had any political experience, whether it is a reason why men should desert a government because, forsooth, one of its portfolios is not filled up, while at the same time the country is crying out and condemning the government for having too many members—a condition of things for which they as well as myself were responsible, and are responsible to-day. I may add here that the instances which my hon. friend who leads the Opposition mentioned the other day are not, I think—and I say it respectfully—at all parallel with the present case.

Hon. Mr. SCOTT—I did not profess that they were—there was justification. There are instances, but not parallel instances.

Hon. Sir MACKENZIE BOWELL—There are instances of resignations, but not instances of the peculiar nature which characterizes these resignations. I have precedents with which I shall not weary the House,

further than to cite one or two which ought to be accepted by even those gentlemen who have left the Government, for this among other reasons—it is the only political reason in the whole explanation that they give why they should leave the Administration of which they have been a part. The record shows that Sir Charles Tupper resigned the office of Minister of Railways and Canals on the 24th day of May, 1884. Parliament met the following January. The Hon. John Henry Pope was not appointed to succeed Sir Charles Tupper until the 28th September, 1885, so that through one long session of six months some of these very gentlemen sat in the House, while one of the portfolios was vacant—that, too, one of the most important in the Cabinet. There is nothing to indicate that one of them ever raised his voice in protest. Then, again, the Hon. Mr. Colby—and both gentlemen I may say have been colleagues of mine—resigned the presidency of the Privy Council on the 28th of April, 1891. Parliament met the next day, and it remained vacant until it was assumed by Mr. Abbott in June, 1891, as Prime Minister; showing that in one of these cases under the leadership of my predecessors, these same gentlemen remained, most of them in the Cabinet, with a vacancy in the government, and yet they did not find it incumbent upon them under those circumstances to send either to Sir John Macdonald or to Sir John Abbott their resignations. Let me say this, and I hope it will not be considered a reflection on some of my party, but I mean precisely what I say: The crisis to a certain extent has been brought about because, having a great question before the country, the prominent men who were most interested in having it settled did not come forward and render that assistance which under the peculiar circumstances they should have done, no matter what personal sacrifice it might have involved. It was not a fight in Ontario for any particular principle that they held dear, but it was a fight for the maintenance in its entirety of the constitution of the country. It was a fight in order to fix firmly upon the minds of the people that under no circumstances could any province be permitted to infringe on the rights and privileges of any portion of its people, no matter what their individual opinion might be upon the questions which have divided them. I look forward with very grave apprehensions to the time when any

one province shall be permitted by the federal power to interfere with and deprive any portion of its people of rights guaranteed to them by the constitution direct or implied. I have great faith in the liberality and patriotism of our French Canadian fellow citizens of the province of Quebec, still I say what is the fate of the minority in Manitoba today, may be the fate of another minority and another creed in another province to-morrow; and that may be brought about by the very fact that a majority is permitted to interfere with and deprive a minority of its rights. If we desire to make this a great and united country, if we desire to see one homogeneous people living together in peace and harmony, we must learn to respect the privileges and the sacred rights, either implied or directly guaranteed by the constitution. These are the views which I hold on this question. I yield not my own individual views upon political or religious questions to any man. It is our pleasure to be able to say that the Crown recognizes the rights of every one of its subjects throughout the empire, and if those rights are infringed in any part of the world, it is the duty, and not only the duty, but it has been the policy of the crown, to exert the power of the empire, if necessary, to protect them. I hope the time will never come when the rights of any British subject can be interfered with in any part of the world with impunity. No doubt there is much more that I could say on that subject, but I do not propose to do so at the present moment. There is, however, one question connected with the affairs of the government to which I think I may fairly refer in order to place myself right before the country. A debate took place in the other chamber yesterday in reference to an unfortunate disagreement arising from anonymous letters which were received by me charging one of my colleagues with misconduct. It has been so put by some people as to lead to the conclusion that I had something to do with this nefarious transaction. The facts are simply these, and after stating them I shall leave it to the House and the country to judge how far I was justified in the course that I pursued. We were sworn into office, after the death of the Right Hon. Sir John Thompson, on the 21st day of December, 1894, in the city of Montreal. I received an anonymous letter from Montreal, dated 18th December,

1894, just 3 days before the government had been sworn into office, charging Sir Adolphe Caron with certain dereliction of duty, which if proved to be true would end his political life. That letter was not sent to His Excellency as has been stated in the newspapers, nor were any of them sent to the Governor General. They were sent to me as the head of the government. I at once placed that letter in the hands of Sir Adolphe Caron, as it was my duty to do. He produced affidavits and evidence to show that the charges which had been laid against him were untrue, and to the satisfaction of other parties whose names need not be introduced in a debate of this kind. During the summer, Sir Adolphe informed me that he had some suspicions as to the writer. He said that he had sent the letters to an expert and a detective in New York in order to ascertain whether the anonymous letter bore any of the characteristics of the letters which accompanied them. A report came back which he showed to me. I read it carefully. I confess it was rather an ingenious report, and my remark to Sir Adolphe Caron was this—"I know very little about expert testimony of this kind, but I do not conceive it possible that a Minister of the Crown would write a letter of that kind to another colleague, and I would suggest to you the propriety of disabusing your mind upon a question of that kind." He asked for the envelope but I had thrown it into the waste basket and lost it. I suppose most men in my position receive anonymous letters continually, I often receive them, finding fault with my colleagues and giving information. As a rule they go into the waste basket or into the fire. On the 9th November, 1895, I received another letter purporting to come from the same party who had sent the first one. That I handed to Sir Adolphe Caron. Comparing it with the first he said that they were written by the same hand, and again he expressed his opinion as to the writer. I dealt with the matter then as I had done before. I did not consider it of sufficient importance, on my part, to insult a colleague by asking him for an explanation or laying it before him. Indeed, I should have very little else to do if I were to continue carrying the tales which are brought to me, either anonymously or otherwise, about one colleague or another. The matter remained in the position which I have described until the day of the opening

of parliament. After the opening, a gentleman belonging to the other House followed me along the corridor to the Senate and asked me about those letters. I gave him no information whatever, but asked him what he knew about them. He then said he knew that certain letters had passed and that Sir Adolphe Caron had accused one of his colleagues of writing them. I told him that he should be careful about using such an expression, and that I doubted the truth of it, although such letters had been written. That same evening another member of Parliament came to my residence and asked me about the letters. He told me what he had heard, and I asked him how he obtained such information. The answer was that it was the common talk in the Albany Club in the city of Toronto. I then came to the conclusion that it would ultimately get into the press, and that my duty to my colleague was to inform him of the fact; and, after consulting Sir Adolphe Caron, I did so the next day. There is the whole history, so far as I am concerned of that transaction. Mr. Montague—I do not blame him for it—felt very much annoyed and chagrined and asked, "Why did you not tell me this before?" I said "for the simple reason that I had no desire to create any animosity or ill-feeling between you and your colleague." More than that, when Sir Adolphe Caron told me that he intended to lay the matter before His Excellency the Governor General, I advised him not to do so, for the reason that I knew it would create a disturbance and in all probability lead to the removal of these two gentlemen—that it must necessarily do so—if the statements were true. I was under the impression, and am still, that we had quite enough difficulties to contend with in the country without importing into it a personal disagreement of this character. I said at the time in fact on both occasions, and I repeat now, that I could not conceive it possible that any man having the slightest regard for his own reputation, or having regard for the solemn oath which he had taken as a privy councillor, could by any possibility be guilty of writing anonymous letters, and therefore I treated it in the manner that I have indicated to this House until I heard that it had become the common talk of the city of Toronto, and then I deemed it my duty to inform my colleague of what had been said. I think I may close by stating what it is

proposed to do. I do so with a great deal of diffidence, because I would much rather retire from public life than once more go through the ordeal to which I have been subjected during the last week or ten days. If my retirement from official life will aid in the perpetuation of the principles of the Conservative party, and keep that party where I think it ought to be, that is to say, in power, it would be a matter of small moment to me whether I retire from the position which I hold or whether I leave political life altogether: but so long as I am in this position I propose to act in a strictly constitutional manner and to do only that which is justified by law and precedent. Should I be defeated, either in the House or at the polls, it will be an honourable defeat, but to retire now, after having been attacked in the manner already referred to without this explanation being placed upon record, would, I consider, be dishonourable and leave a stain upon my reputation which I do not desire to hand down to my family. I therefore beg to state that after several interviews with the Governor General respecting the resignation of seven of my colleagues in the cabinet, I yesterday waited upon His Excellency for the purpose of tendering my resignation. His Excellency intimated that he was not at that moment prepared to receive it. The chief reason for this attitude on the part of His Excellency is that the Speech from the Throne, although presented to Parliament, has not yet been considered, nor an expression of opinion given by Parliament upon it. It is regarded by His Excellency as unfitting, that the Premier, as head of the administration responsible for that speech, should not have a full opportunity of reviewing the situation and testing the feelings of Parliament thereon. Under these circumstances I deem it my duty to endeavour, as far as in me lies, to re-organize the Government. I, therefore, move that when this House adjourns, it do stand adjourned until Tuesday, the 14th inst., at three p. m. If the House desires it, I have no objection to making it Monday at three p. m., or at eight p. m., whichever may be desired. If I cannot succeed in re-organizing the administration within the three days, then I shall do that which is the constitutional duty of every premier who finds himself in such circumstances, namely, place my resignation in the hands of His Excellency. Let me say this, in closing, that

although I am not going to pledge myself publicly to the details of any measure which may be proposed in Parliament, I wish it to be distinctly understood that whatever government is formed, if I am to be its leader, must be formed on the basis of the principles enunciated in the Speech from the Throne. I shall not consent to be connected with any body of men who are not prepared to carry out and hold inviolable the pledges which were then solemnly made to Parliament.

Hon. Mr. SCOTT—In regard to the personal explanation given by the Premier, I think he may rely upon receiving the sympathy, not alone of his friends in this chamber, but of the press of the country, as well as of a great majority of the people of Canada. The people of this country like to see fair-play, and they cannot admit, I am sure, that the course lately pursued towards the Premier, can be called reasonable or proper. The Premier has, apparently, assumed that the reasons set forth in the statement made by Mr. Foster in another place, are the real reasons which prompted the extraordinary course of the seven gentlemen who have resigned. For my part, I am not so credulous, nor do I think there is any one in this chamber so credulous as to suppose that their true and honest reason is given in that statement. By their declarations made from time to time, but more particularly during the elections recently held, the ministers led the people of the country to believe that the utmost harmony prevailed in the cabinet. The electors who were addressed by the several ministers in Montreal, Jacques Cartier, Cardwell and elsewhere, were informed that perfect unanimity existed among members of the cabinet on all matters of public policy, and on every possible occasion a eulogy was pronounced upon the Premier as being the best man for the position in the whole of the party. Let me read some of the recent utterances of these gentlemen, to show how utterly inconsistent Mr. Foster's statement is with the expressions made use of before public audiences. Messrs. Foster and Haggart met recently at a public meeting in Smith's Falls, and I wish to read from the report of the *Mail and Empire*, a part of the speech made on that occasion by Mr. Foster. His remarks, I may say, were afterwards acquiesced in by Mr. Haggart, who

declared that Mr. Foster had given utterance to his own sentiments. No doubt it was particularly mentioned that Mr. Haggart gave his adhesion to Mr. Foster's remarks, because it was believed that Mr. Haggart was the only member of the government who was not what might be called sound on the important measure then engaging the attention of the government, namely, the Remedial Bill. Mr. Foster said :

They had perhaps learned from the Grit press that their government at Ottawa was disunited and demoralized. Having reassured him, as they had, that the Conservative party outside of Ottawa was in good health, he was there to demonstrate to them with his two colleagues 'that were present.' (Dr. Montague was there also) and also for those that were not present that the Conservative government now, as of old, was a government which was united on its different lines of policy without a shred of disunion.

The Mail adds :

He bestowed a warm eulogy upon Sir Mackenzie Bowell, whose character, after 17 years administration of one of the greatest departments of the government had not shown one trace of dishonesty or incapacity.

Then, during the Cardwell election, which took place the other day, Dr. Montague spoke as follows :

For 17 years Sir Mackenzie Bowell had been an honoured member of the Government who had successfully administered the affairs of his department. During all these 17 years not one mark could be placed against Sir Mackenzie's honesty either as a minister or as a public man. Not only that, but the Premier had always favoured the broadest lines of policy, had always supported plans for Canadian progress and development. In addition to that, first as minister and now as Premier, he had invariably supported the strengthening of the ties which bound them to the dear old motherland.

These are the views of leading members of the dissentient faction who recently left the government. Does any hon. gentleman believe, in the face of these statements, and in the light of common sense, that the true reason of their course is given in Mr. Foster's statement? I think not. No one is so extremely credulous as to believe for one moment that this is the case. These hon. gentlemen, I think, have placed themselves in a position which has never hitherto been occupied by any statesmen of Canada. On Thursday last—just one week ago to-day—they were a united cabinet. They had prepared a speech for His Excellency the Governor General in which they tacitly acquiesced in their leader's

policy, or else they acted dishonestly and in contravention of their oath of office. Hon. gentlemen are no doubt aware that Privy Councillors take a special oath to be loyal to the Queen's representative and to be true and loyal to each other as well. Through the mouth of His Excellency they informed Parliament that they were prepared to bring down a number of measures. Among other things it was stated that it was necessary for the government, in pursuance of its declared policy, to introduce legislation in regard to the subject of separate schools in Manitoba. Not only that, but they also intimated that they were prepared to submit to Parliament a number of other bills relating to the strengthening of Canada's military defences, copyright and other matters. Then with extraordinary cant and hypocrisy, they invoked the blessing of the Divine Being upon their labours in these words :

I commend these subjects and others which may come before you to your earnest consideration, relying upon your wisdom and prudence under the Divine guidance to discharge with dignity and effect the high trust committed to your care.

They committed themselves to these expressions on Thursday last. When the House met after the speech had been delivered, the Premier moved that this address be taken up on the following Wednesday. Mr. Foster, in the other chamber, gave notice that the address would be taken up on the following Tuesday, that is, last Tuesday. Yet on Saturday it was notorious that these seven gentlemen had tendered their resignations—less than forty-eight hours afterwards. Does any one suppose that within that space of time they had come to the conclusion that my hon. friend opposite was incapable of carrying on the government any longer, that up to that particular moment he had all the mental vigour necessary for the work of leading the administration of the country but that within forty-eight hours he had so lamentably deteriorated as to be unfit for his post? The thing is too absurd for any of us to place the slightest credence in it. These gentlemen, I think, by their strange conduct in placing not only both Houses of Parliament but the representative of the Crown in such an equivocal position, have rendered it impossible that they can ever again be the members of any cabinet, for it is a very serious dereliction of duty, not only as regards the Crown, but

also in the matter of their attitude towards the head of the government. I cannot, therefore, nor do I think the people of the country will, accept the explanation given. There is a reason underlying the public statement which has been made, and I had hoped that we would have heard that reason, which would account for the extraordinary disturbance which has taken place. The hon. leader of this House has been frank and consistent in giving his view; he has accepted the explanation of his former colleagues, but as for myself, in the face of the testimony which I have just read, coming from three of the leading members of the contingent, I cannot possibly do so. Their real motive, in my opinion, was not only to make a change in the personnel of the premiership, but also to make a change in the policy of the government. It is very well known that the question which has unhappily divided the people of Canada recently, and which has been floating on the political horizon for a great many years, had something to do with it. Six years ago that question could easily have been settled. Six years ago that question was one which could have easily been settled by diplomatic action, or could have been settled in a variety of ways which I do not now propose to comment upon, but it was allowed to be badgered about in the courts; petitions were presented here, and they were referred for further consideration, and year after year went by, until now six years have elapsed since that burning question first arose, and what has been the effect? That you have divided the people of Canada into two camps, and if we have an election to-morrow the probability is that it will be on the sectarian cry. It is now quite impossible to discuss this question logically and from a constitutional standpoint with the great mass of the people of Canada. They allow their own prejudices to govern their judgment, and therefore it is a hopeless thing now to successfully obtain the approval of the great body of the people of Canada in support of the constitutional mode. I say it with deep regret, and the press of Canada is largely responsible for misleading the people. They have pandered to their prejudices, until now it is absolutely impossible to control them, and the question I recognize to-day cannot be satisfactorily settled under any legislation that we can inaugurate, I

say so with very deep regret, because I do feel that the constitution has been severely wrenched by the action which the cabinet has taken. It is very well known that there were certain members of the government that were always averse to that view of it, and here we can recognize the very proper action taken by the ex-Minister of Agriculture when he felt bound to resign his seat in the cabinet because he knew that, composed as the cabinet was at that time, it was hopeless that that question could be settled satisfactorily in accordance with the circumstances of the country, and it amply justifies the position he took then and that he has persistently held since that day. With the province of Manitoba now taking an aggressive attitude, it is hopeless, even if we pass the bill here, to enforce it. One can recognize how utterly impossible it would be, in a measure of that kind, that requires the co-operation and support of the municipal authorities in the locality, for federal legislation to prevail against the hostile attitude of the province. It is, I think, a very unfortunate, and a very sad condition of affairs. We hear a good deal about the coercion of Manitoba. "Do not coerce Manitoba"; but it is nothing to coerce a small minority in that country, who are dependent entirely upon the generosity and fairness of a large majority who have control of public affairs. I do not think that it speaks well for the majority in that country. I think it is very unfortunate and very unhappy; and the very clause on which Manitoba relies was a clause placed in the constitution for the protection of the minority in Quebec. Let me ask you, if the rights of the minority in Quebec had been encroached upon by legislation, would there not have been an outcry all over the Dominion? Do you think for one moment that it would have taken six years to rectify it? Certainly not, there would have been found ways and opportunities for very much sooner vetoing the legislation and making it inoperative. The majority of this country have not shown that generosity and forbearance that they should in reference to a question of this kind. The people have seized it, and having seized it, the politicians of the day are afraid of it. We find all over, in the constituencies that are controlled by the majority element, that they are afraid to touch this question. They say "do not coerce Manitoba," as if we were

extending the constitution beyond its legitimate limits. Manitoba came into the government with a constitution which is plain to be read. The minority were protected by certain clauses have been absolutely swept away, and when we come to discover the true causes that have created this chaos in the government, we shall find that it was due to a desire not to carry out the policy that was, I think, so honestly and earnestly advocated by the leader of the government. I do not propose to follow this question any further than to assure the hon. gentleman that we all sympathize with him in the unfair and ungenerous attack that has been made upon him. As I said before, I scarcely think he believes the statement made by Mr. Foster. In the face of the evidences that have been given from time to time by members of the council who have expressed their unbounded confidence, not only in his ability, but in his industry and his popularity with the party, I think that it is impossible for us to believe as true the reasons given in the paper read in the House of Commons.

Hon. Mr. MASSON—Will the hon. member allow me to ask him what would be the opinion of the opposition if a remedial bill were introduced, because he knows that the government, if returned, must bring in remedial legislation?

Hon. Mr. SCOTT—I give my honest conviction. I am speaking for myself, and not the party.

Hon. Mr. FERGUSON—The hon. leader of the opposition made some remarks, after referring to the resignations of the ministers and the opposition to the Prime Minister, upon which I wish to say a few words. I notice that my hon. friend is not by any means so strong on the question of remedial legislation, judging from the few remarks we have heard from him this evening, as he has been on two previous occasions when I had the honour of hearing him speak on this question on the floor of this House. The hon. member begins to be timid. He says now that it is utterly impossible, utterly hopeless to get a remedy for the minority in Manitoba. Is it because my hon. friend, thinks he is in sight of the treasury benches, that he is beginning to trim, and put himself in a different position from that

which he occupied in regard to this great and important question? It is not proper, I think, for the hon. gentleman who leads the opposition to censure in this House, as he has done, the management of this question since it had its inception some six years ago. He began by saying that instead of dealing with it in a diplomatic way, in a proper way, that the question was sent to the courts, and in that way the evil has gone on festering, up to the present moment. Let me ask the leader of the opposition, who was it that first suggested that this great question should be sent to the courts of the country? Was it Sir John Macdonald who was at that time Prime Minister that made the suggestion in the House of Commons? It was not. Was it not the actual leader—at least one of the greatest men in the great liberal party of Canada at that time—(Mr. Blake) who made that famous speech, upon this question, a few weeks after the passage of the Manitoba School Act, in which he suggested a reference of the case to the courts of the country, winding up by moving a resolution, which was accepted unanimously by the House of Commons, in favour of that course? I say, therefore, it is useless for the leader of the opposition at this stage to turn round and throw blame and censure upon the leaders of the Liberal Conservative party, because the question was sent to the courts at that time on the suggestion of Mr. Blake.

Hon. Mr. SCOTT—Mr. Blake was not in Parliament when this question came up. His speech was made in 1884.

Hon. Mr. FERGUSON—My hon. friend is entirely wrong, and I may be thought to be somewhat presumptuous in making such a remark as that in regard to a statement of an experienced politician like my hon. friend; but I speak of the year 1890, when the Manitoba School Act was passed. Mr. Blake was in parliament then, and before the question reached the federal government for the purpose of exercising disallowance, Mr. Blake made his speech in which he condemned disallowance or an attempt to deal with it in that way at all, and added that he spoke for the liberal party. It was then that he submitted his famous resolution in favour of sending it to the courts. Such a resolution was not submitted in this branch of parliament; so that we have not my

hon. friend the leader of the House himself bound down by his personal vote on that question, but we have Mr. Laurier, the leader of the House of Commons bound hard and fast by his own vote, because he was present in the House of Commons on that occasion, and by the unanimous vote then passed, he voted, as did every other member in the House at that time, for submitting the question to the courts. I say, therefore, it does not lie in the hon. gentleman's mouth to properly censure such statesmen as Sir John Thompson and Sir John Macdonald for sending the question to the courts instead of dealing with it as he says, in a diplomatic way. It was Mr. Blake who suggested that course, and they fell in with him and agreed with him, and I do not think anything has occurred up to the present time to show that the action of parliament at that time on the motion of Mr. Blake, supported by Sir John Macdonald and other members of parliament, was wrong in any particular. It was the determination then arrived at that this question should be removed as far as possible from the domain of party strife. A judicial decision should be obtained, as Mr. Blake suggested. I have not his speech or resolution before me, but I speak from an accurate recollection of the case. He held that the facts and the law of the case should be investigated by judicial tribunals and that a reasoned opinion should be given for the guidance and for the information, as Sir John Macdonald put it afterwards, of the executive of the country. I repeat that my hon. friend should not rise in this House now and condemn those eminent statesmen to whom I have referred, Sir John Macdonald, Sir J. C. Abbott and Sir John Thompson, for having proposed a solution of the question, as far as it was possible to solve it, by an appeal to the courts. My hon. friend says further that the press are responsible for stirring up a religious feeling and a sectarian feeling upon this question. Now, that may be true, but I think if there is any portion of the press that is more responsible in this regard than another, it is the principal organ of the party which the hon. gentleman leads in this House, the *Globe* newspaper.

Hon. Mr. SCOTT—I did not spare any paper: I condemned the *Globe*.

Hon. Mr. FERGUSON—I know he did not particularize, but he started by condemn-

ing the reference of the matter to the courts, and deplored the sectarian feelings that were likely to be excited in connection with it, and then he went on and condemned the press. I suppose he intended to condemn all the newspapers in Canada that had dealt with it in the way of stirring up religious feelings and religious strife; but the hon. gentleman himself, in all candour, must admit, as he did admit on the floor of this House last year, that the organ of the Reform party has been the greatest sinner of all papers in Canada in connection with this great and important question. My hon. friend says it is utterly hopeless to get a remedy. I have not lost faith in the sense of right and justice that prevails in the people of Canada from the Atlantic to the Pacific, and I am not without a hope that a remedy will be found for this difficulty, and that justice will be done to the minority of Manitoba. A reasonable measure will be enacted by the parliament of Canada which will provide a remedy for this difficulty, and which will not be the means of stirring up a great deal of religious strife. My honourable friend will not deny that the government took a constitutional view of this question. If the opposition generally and the leaders of the party in another place, and those who have been promulgating the views of that party before the people on the public platform and through the press had taken the same course as my hon. friend did last year there would have been no danger of this question stirring the people on sectarian lines all over the country. I am not going to say there have not been those in the ranks of the Liberal-Conservative party who have not taken what was, to my mind, the proper course on the question. We know it is so; but we know that the government and the Premier, the leader of the Liberal-Conservative party, took the strictly constitutional view of this question, being himself in favour of a public school system, nevertheless he believed that the rights of the minority in Manitoba, as guaranteed to them by the constitution of the country, should be respected, and that the constitution should be upheld, as it had been construed by the highest court in the realm. Had my hon. friend's party and its leader been equally outspoken in the view that this question is a constitutional one, and should be settled in a constitutional way, there would have been no danger whatever of the people being

divided on creed questions throughout the country. We would have had this question settled in a reasonable way, taking no extreme position on either side, but doing simple justice to the minority in Manitoba, and then we would have been able to go forward and deal with the other important questions which agitate the people of this country, and with respect to which it is so important we should constantly keep our eyes open. I do protest in this House, as I do on every occasion where I have a voice and hearing, that whatever trouble is to come out of this question, whatever difficulty is to arise, the responsibility must largely rest on the leader of the opposition, the Hon. Mr. Laurier, and the party associated with him in public life for not having risen, as Mr. Blake did in 1890, above making the question one of a party character.

Hon. Mr. BELLEROSE—It may not be the province of the leader of the opposition to make such statements as those referred to by the member of the government who has just resumed his seat; but it may belong to me, who began war on this question in 1872, to say what I believe on this question of disallowance. I could not reproach the late Sir John Thompson, or the late Sir John Abbott, severely, for not having asked for the disallowance of the Manitoba legislation, because they had a precedent, which would certainly have placed them in a very bad position. The school question must be discussed in its proper shape. You have to go back to 1872, because the first precedent was there established which forced Sir John Thompson to go to the courts, and forced Mr. Blake to ask in England for an interpretation, you may say, of the British North America Act. I was then a member of the Commons, and I was the only one from the province of Quebec who dared to stand up and oppose the government on that question. True the hon. gentleman who spoke a few moments ago, Mr. Masson, made a few remarks after me, but when I made the attack I knew not whether he or any other would back me up. What did I say? My speech was not reported at the time, Parliament had then no official reports of its debates; but as it was an important question, I took the trouble to write my remarks in order that I might use them later, and I read my written speech. The paper is very

old indeed, but I have it still; I knew and predicted that in after years we would have trouble on that question, when the government did not settle it the first time it arose. In every part of the world where there is a mixed population, all religious or educational questions make trouble, unless they are thoroughly settled. In 1872 I dealt with this subject in the other House. Our present Premier was there then and knows those facts. What did I say? I showed that the government were wrong. At confederation Sir John Macdonald had laid down the principles under which the veto should be exercised. He said his government would never meddle with a province except in two cases—first, if the legislature of the province should go beyond their jurisdiction, and second, in case the legislation of the province though *intra vires*, should be recognized as legislation calculated to disturb the public peace. Knowing that educational and religious questions would create trouble throughout the world, consequently on the principles laid down by himself he was wrong, and I declared that I should separate from him for ever, if he did not take the question in his own hands and settle it at once. Since that time, though I have always remained a conservative, I have been quite independent of governments, and I have lost all confidence in public men. Before giving my confidence to any government now, I wait to see their work and judge them by their acts. But as far as this question of the veto is concerned the old man, Sir John A. Macdonald, is the only man responsible for its abuse. So that if the objection taken by the leader of the opposition is not quite correct the answer of the minister who has just taken his seat (Hon. Mr. Ferguson) is quite incorrect. As to the Premier, I congratulate him on the stand he has taken on this very great issue and on the way that he has spoken. Ever since the death of Sir John A. Macdonald, at the time Sir John Abbott was called to the head of the cabinet, and later when Sir John Thompson was called to succeed him, I never hesitated to state that a better choice would have been made had Sir Mackenzie Bowell been selected because he was the best man for the time. I now see by the way that he has acted since then that I was right, and that my judgment, so far as the premiership is con-

cerned, was sound. I congratulate him on his whole speech to-day, except the conclusion which seemed to me in opposition to his previous utterances. The expression to which I object is that after the adjournment he might give way. I say it would be wrong to do so. The "kickers," as the press terms them, should not be approved of by any man, and if the leader of the government should give way, it would be recognizing or admitting that those who condemned him are right. The hon. Premier should stick to the ship until Parliament withdraws its confidence or the people at large repudiate him. If he should resign before that, he will forfeit the good opinion that I have entertained of him during the long years that I have been acquainted with him. I hope he will not yield.

Hon. Sir MACKENZIE BOWELL—Either the hon. gentleman misunderstood what I said, or I did not make myself sufficiently explicit. I said that if I should fail to fill the vacancies, then I should place my resignation in the hands of His Excellency, and let others attempt to form a government. Surely the hon. gentleman would never expect me to advise His Excellency to dissolve parliament with seven portfolios not filled!

Hon. Mr. BELLEROSE—Certainly not—I did not understand the hon. gentleman. What he suggests is the constitutional way.

Hon. Mr. BOULTON—In view of the remarks which have been made in the course of this short debate, I as a representative in this House of the province of Manitoba do not like to let the present opportunity pass without expressing my views as to what I believe are the rights of the province from which I come in the present instance. We are brought face to face with a constitutional difficulty which the people of Manitoba are now endeavouring to settle among themselves. The Premier, Mr. Greenway, is now before the people of Manitoba for their judgment on the course which he has seen fit to pursue. The elections are now pending and I see by the reports received to-day eight of the constituencies have gone by acclamation in favour of Mr. Greenway. This I should say would indicate a determination on the part of the people of Manitoba to stand by their constitutional

rights as a province and uphold the legislation on school matters that they have put in the statute-books. As the Premier has said, we are here met for the purpose of carrying out the constitution. But there are two ways of looking at the constitution of the country. Apparently the way that the hon. leader and many members of parliament look at this question is that the constitution requires that the judgment of the Privy Council enjoins upon parliament to coerce the province of Manitoba in order to remedy the grievances that the minority have complained of. That legislation must be put on the statute-book which will interfere with the legislation of the province of Manitoba. With that I say I cannot concur—with that I must place myself in opposition to any government that attempts to take such a course in parliament. We are a constitutionally governed country. We have the principle of self-government to guide us. The principle of provincial self-government within specified lines is the basis of confederation, and it is not wise for us having regard to the future constitutional history of the country and in the interest of the future peace of the country to infringe in any way on that principle.

Hon. Sir FRANK SMITH—We are not discussing that matter now.

Hon. Mr. BOULTON—That is what the Premier has laid down, and there is no time more opportune now than on the eve of the formation of a new government, which, I presume, is about to be done, and which I presume now to express my view, as a Senator from Manitoba, which may guide the Premier. I am endeavouring now to express the views entertained by the majority of the province from which I come, on the subject which is under discussion at the present moment. I wish to impress on the hon. gentleman, that if the appealed clauses of the British North America Act are to be dealt with as a principle of confederation by extending national aid to voluntary schools, or any other system common to all, then any Act that is passed dealing with those clauses, should be an Act applying equally to every province in Canada. I contend that it is not wise to select a single province and deal with it summarily in a separate manner. If, on the other hand, the question which is now before the country, that the

province of Manitoba shall be selected, and that the question shall be dealt with as a matter of treaty entered into with the Selkirk settlement in 1870, then I say that the Dominion government should restore those rights which the minority of Manitoba are suffering from, irrespective of the legislation of the province of Manitoba. There is nothing in the legislation of the province which prevents the minority from educating their children as they see fit.

Hon. Mr. BERNIER—But you are taking away the money with which they should do it.

Hon. Mr. BOULTON—I was about to say so. I say there is nothing in the School Act of Manitoba which prevents the Roman Catholic minority from conducting their education as they see fit. But it withholds the public funds from that source of education unless they come under the School Act and conduct their schools in accordance with the statutes of the province; therefore if the question is to be dealt with as a matter of treaty between the 12,000 of a population with whom the negotiations were carried on in 1870 and the parliament of Canada, then I say that a grant should be made by the Dominion parliament to the district comprised in the Selkirk settlement in order to place those schools which have been deprived of their privileges in a position that they may be carried on in accordance with the views of the minority. There is a vast difference between introducing concurrent legislation and taking a step of that kind. I warned the hon. leader of the government and the parliament of Canada that if they proposed to introduce remedial legislation which shall be concurrent legislation on the statute-books under which the Dominion authorities shall take charge of and manage separate schools in the province of Manitoba; while the province itself manages public schools, it will be resisted to the utmost by the people of the province of Manitoba—constitutionally resisted—but resisted to the utmost, and in saying so I do not express the opinion of a party but the people as a whole. The Privy Council has decided beyond a question that the exclusive right of conducting school matters in each province belongs to the local authorities subject to the appeal clauses. If the appeal clauses are to be dealt with by the parliament of

Canada which has a perfectly free hand, as a principle of confederation, after the experience of 28 years, then any Act which is placed on the statute-book should apply equally to every province of the Dominion. It is not a question of bringing down remedial legislation. The Premier has, I think, taken a right and constitutional course in placing the ruling of the Privy Council before parliament. The *ultimathule* of the legal interpretation applied for by the minority is to place the matter before the parliament of Canada. I say parliament should be seized with all the facts before they are able to express a fair and proper idea as to what is the right policy to pursue, because it is a matter of policy, not a matter of right before parliament. No one can contend for a second that the judgment emanating from the judicial committee of the Privy Council is obligatory on the part of Canada or compels them to follow any course. The constitutional power of the parliament of Canada is perfect; it has a free hand to annul, expunge or modify any Act that is passed within its constitutional limits, and the question with which the parliament of Canada has now to deal is how shall we deal with this matter when it comes before it? Shall we deal with it in a spirit by which we shall invade the domain of the provincial legislature, or shall we simplify matters by placing the small minority of Manitoba in such a position that it can conduct its education as it was accustomed to do before the legislation of Manitoba was put on the statute-book until a change of public opinion takes place in Manitoba itself. If you give the province of Manitoba time, I believe all legitimate grievances will be removed, but no British subject will yield to threats or to compulsion, and the absence of compulsion may lead to a better understanding. I have the greatest sympathy with the leader of the government in the difficulties which surround him, but as a member representing the interests of the people of Manitoba, I feel that while the rights of the minority of that province are being discussed I cannot refrain from rising and defending the rights of the whole province which are endangered by the proposed legislation.

Hon. Mr. POWER—I must say that I regret the line which this discussion has taken to-day. We came here for the purpose of hearing the explanation of the first

minister, with regard to the crisis in the affairs of the administration. We listened with great interest to his statement, which was full and was also satisfactory, particularly the last few words which were misapprehended by the hon. gentleman from de Lanaudière. Now, I feel that all we had in view to-day was to hear the remarks of the Premier and any observations which might naturally arise out of his explanation; but here we are discussing the merits of the attitude taken by the province of Manitoba in a manner which might be fitting enough if we were considering the remedial legislation which may, or may not, be laid before parliament. I think this is very much to be regretted. The hon. gentleman who leads the opposition in this House is sometimes, just a little too much of the dove and too little of the serpent. The hon. gentleman who sits opposite is not nearly so much of the dove and is very much of the serpent. The hon. gentleman from Ottawa (Hon. Mr. Scott) in remarking upon the reasons for their action given by the gentlemen who have recently left the administration, stated that he thought that the reason given in another place by the ex-Minister of Finance for the action of these gentlemen was not the true reason, and he indicated what he thought the real reason was. I felt at the time that the hon. gentleman from Ottawa (Hon. Mr. Scott) went perhaps a little further than was necessary, when he said that in his opinion the curing of the evils suffered by the minority in Manitoba, by means of remedial legislation, was hopeless; but in reply to the question of the hon. gentleman from Mille Isles the hon. leader of the opposition stated that he was simply giving his own individual opinion and did not speak for his party. Under the circumstances, I think it was exceedingly ungenerous, not to say, contrary to parliamentary etiquette, for the hon. gentleman who holds the position of Minister of Agriculture to attack the whole of the opposition and to credit the leader of the liberal party with all the difficulties which have arisen in connection with the matter of the Manitoba separate schools, with which the leader of the opposition has never had anything to do. The hon. gentleman who leads the opposition in another place, has from session to session carefully avoided interfering in the matter. He has said to the government and very properly, that it is not the duty

of the leader of the opposition to formulate a policy for the government upon any question, and he has told the government further that when they introduce their measure he will define his position. It will be time enough, when the measure has been introduced and the leader of the opposition has taken his stand with regard to it, for the Minister of Agriculture and other gentlemen to discuss and criticise his attitude. As far as I know, the observations made on the platform and elsewhere by the leader of the opposition have given the impression that if the government introduce a remedial measure intended for the relief of the minority in the province of Manitoba, that measure will have his support. I presume it will also have the support of a large portion, at any rate, of his followers. One cannot tell how the liberal party will act in the matter, any more than one can predict how the followers of the Premier will vote. I fancy that when the measure which is promised is introduced—if it ever is introduced—it will be found that there will be among the followers of both gentlemen more or less of what may be called "go as you please." I repeat that it is very much to be regretted that there should be a premature discussion of this very important question without any notice being given or time for preparation afforded. At the proper time the question can be discussed intelligently, and no doubt each member of both Houses will have an opportunity of placing himself on record and of making his position clear both to parliament and to the country.

Hon. Sir MACKENZIE BOWELL—May I ask the hon. gentleman whether he is in favour of the policy of the leader of his party in the other House?

Hon. Mr. POWER—What is the policy? I wish to see the government measure first. When that measure has been introduced and the leader of the opposition has taken a position with respect to it, I shall be better able to answer the question.

Hon. Sir MACKENZIE BOWELL—I have heard of the ability of an Irishman to give an evasive answer and this is certainly a good example. My question was direct. Does the hon. gentleman from Halifax favour the policy laid down by his leader?

¶ Hon. Mr. POWER—I cannot express an opinion about a policy which has not been enunciated.

Hon. Sir MACKENZIE BOWELL—I beg the hon. gentleman's pardon. I am surprised to hear him say that. The policy of his leader has been enunciated on a dozen different platforms, namely, the appointment of a commission. He never told us, however, what he proposed the commission should do.

Hon. Mr. MASSON—Is not the hon. Senator from Ottawa as much the representative of the liberal party in this House as Mr. Laurier is in the House of Commons? Did not the hon. the first minister delay making his statement to-day until the Senator from Ottawa was in his seat? What was his intention in doing so? It was because he thought the leader of the opposition in this House was the proper person to reply, and I hold that I was perfectly justified when I asked the hon. gentleman if he was in favour of remedial legislation. My reason for doing so was that I have heard (although I do not altogether give credit to the report) that Mr. Laurier is desirous of shirking the question and that it is his intention to promulgate a new policy to the effect that an inquiry should be made as to whether the judgment of the Imperial Privy Council was right or wrong, and that there should be a commission to investigate the state of affairs in Manitoba. I think it was perfectly legitimate to ask the hon. leader of the opposition in this House if he was speaking as the leader of his party. It took him fully two minutes to reply, and he only did so after consultation with another member of the House. He then said that what he had stated was not the policy of the party but merely his own individual opinion.

Hon. Mr. PELLETIER—I have never heard any one say that it was the intention of the leader of the opposition to shirk this question. I have heard him speak in many places, and everywhere he has said plainly that he was fully prepared to do what is just and fair. I may further say that I am fully in accord with his policy. I share his opinions, and can give him my unqualified support. I do not consider that it is fair

to state that the leader of the opposition intends to shirk the question. To my mind he has done nothing to justify such a statement; and when the remedial measure is brought before parliament, it will then be seen that he is ready to give it his support if it is in accordance with his views. To say that he has no policy is most inaccurate, and I protest against such a statement. There is evidently a motive for making it, and I know what that motive is. If we read what Mr. Laurier has said on the platform and what he said in the House last session, we must form a very different conclusion. He has distinctly stated that he is prepared to do justice.

Hon. Sir MACKENZIE BOWELL—After the commission reports or before?

Hon. Mr. PELLETIER—I am not prepared to say as to the dates, but I know he is still of the same opinion.

Hon. Mr. MASSON—I do not attack Mr. Laurier, but I must say that what I have stated I believe to be his own expression. I think he would be quite desirous of seeing the question settled, but, after all, the method of settling it is very plain. The government is bringing in legislation which must have the approval of the whole of Lower Canada. If Mr. Laurier had shown his approval of such a course the matter would have been all right.

Hon. Mr. PELLETIER—When the matter is before the House he will deal with it.

Hon. Mr. MASSON—Now Mr. Laurier says it will have to be the subject of a commission.

Hon. Mr. PELLETIER—No, he does not say so. Mr. Laurier thinks that the best way of settling that burning question would be by a commission, but he is prepared to give his support to any measure which would secure justice to the minority in Manitoba.

Hon. Mr. MASSON—Oh, well, of course, if the hon. gentleman says that, I will not pursue the subject further.

Hon. Mr. PELLETIER—He does not say that because he wishes to see what will be the outcome of the statement made in the

Speech from the Throne. He is now waiting until he sees what measure the government will bring down.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, 14th January, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE MINISTERIAL CRISIS.

Hon. Sir MACKENZIE BOWELL—I regret that I am not yet in a position to give the House full information as to the reconstruction of the Cabinet. It has, however, progressed to such an extent that I am safe in saying that I shall be enabled to meet the House to-morrow with a complete reconstructed Cabinet, which I have every reason to believe will not only meet the approval and support of the Houses of Parliament, but also of the country. I, therefore, crave the indulgence of the House for another twenty-four hours delay. To-morrow, after making the report to which I have referred, I shall ask the House to proceed with the consideration of the address in reply to the Speech from the Throne, and commence the real business of the session. I therefore move that this House do now adjourn.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, January 15th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE MINISTERIAL CRISIS.

Hon. Sir MACKENZIE BOWELL—Before the Orders of the Day are proceeded with, I desire to fulfil the promise which I

made to the House yesterday. The statement which I am about to make has been submitted to the Governor General, and I am authorized to say that in its bearing on the position of the Crown in matters of this nature, it has His Excellency's approval.

Since reference was made in the Senate to the retirement from the government of certain of my colleagues, I have had an opportunity of carefully reviewing the circumstances connected with those resignations, and have satisfied myself that the best interests of the country would be served—notwithstanding any differences of opinion that existed respecting the importance of filling the portfolio made vacant by the resignation of the Hon. Mr. Angers—by the return to their former positions in the Cabinet of those who deem it their duty to retire on account of that vacancy.

While it is true that this point was freely discussed between my colleagues and myself, it is equally true that I regarded that vacancy—the importance of filling which cannot be questioned—as an insufficient reason for the resignation of any member of the Government. This view, however, was not concurred in by some of my colleagues, who urged that the meeting of Parliament, with a Quebec portfolio vacant, might seriously imperil the success of certain important measures to be presented during the session. I had reasonable hopes of being able to fill that position up to the very day when Parliament met, and was disappointed when my efforts failed.

After the opening of Parliament, certain members of the government sent me their resignations, giving among other reasons the fact that “having failed to fill the portfolio,” and that I evidently “intended to go on with the transaction of public business with an incomplete Cabinet,” they thought this course so great “a departure from sound constitutional practice, and so weak as a matter of policy” that they were “unwilling any longer to remain as members of an incomplete government.”

Since the receipt of the resignations referred to, the objections put forward by my colleagues have been removed by the acceptance of a seat in the Cabinet by the Honourable Alphonse Desjardins—a gentleman well known and esteemed in the province of Quebec for his ability and integrity of character—and by the accession to the Ministry of Sir Charles Tupper, Bart.

Under the circumstances, and with these objections removed, my late colleagues have deemed it consistent with duty to their country, to resume the positions they respectively held in the government. It is gratifying, therefore, to me to be able to inform the House, and the country, that a Ministry has been formed which will command the support of a majority in Parliament and enable us to proceed with the measures foreshadowed in the Speech from the Throne.

The Government as reconstructed is as follows:—

President of Council—Hon. Sir Mackenzie Bowell.

Secretary of State—Hon. Sir Charles Tupper, Bart.

Postmaster General—Hon. Sir Adolphe Caron.

Minister of Marine and Fisheries—Hon. John Costigan.

Minister of Finance—Hon. Geo. E. Foster.

Minister of Railways and Canals—Hon. John Haggart.

Minister of Public Works—Hon. J. A. Ouimet.

Minister of the Interior—Hon. T. Mayne Daly.

Minister of Trade and Commerce—Hon. W. B. Ives.

Minister of Justice—Hon. A. R. Dickey.

Minister of Agriculture—Hon. W. H. Montague.

Minister of Militia and Defence—Hon. Alphonse Desjardins.

Without portfolio—Hon. Sir Frank Smith
do Hon. D. Ferguson.

Controller of Customs—Hon. J. F. Wood.

Controller of Inland Revenue—Hon. E. G. Prior.

Hon. Mr. SCOTT—I see a report in a morning paper that the Conservative whip of the other House, Mr. Taylor, had an interview with Sir Charles Tupper, Bart., now a member of this government, in which that gentleman stated he was willing to enter the government provided the Premier consented to take back all; that it was conveyed to Sir Charles Tupper that there were three gentlemen, Mr. Foster, Mr. Haggart and Mr. Montague, whom he objected to receive back into his Cabinet; that Sir Charles Tupper made it a condition that unless those gentlemen were permitted to

return to the fold with the others, the negotiations must cease, or words to that effect. I shall read the interview to the House, if they desire it, and perhaps the Premier can say whether it is correct or not. The article reads as follows:—

At the request of Mr. Taylor, the Conservative whip, who brought me a message saying that Sir Mackenzie Bowell would like to see me, I waited upon the Premier yesterday at three o'clock. I said I had gathered from Mr. Taylor that he (Sir Mackenzie) would be willing to take back the gentlemen who had retired from his Cabinet, together with myself, with the understanding that shortly after the Address had been passed he would propose that I should be sent for to reorganize the government. Sir Mackenzie said that Mr. Taylor was mistaken in supposing he was prepared to receive back the whole of the gentlemen who had retired from the government, as there were three gentlemen, Messrs. Foster, Haggart and Montague, with whom he could not serve in the government. He was quite ready, he said, however, to take in the remaining gentlemen, including my son. I told him that so far as my son was concerned, from the moment that it was proposed that I should become leader of the Liberal-Conservative party he informed me that in such a contingency he could not be a member of the Cabinet, a decision in which I entirely concurred. I assured Sir Mackenzie that I had approached the consideration of this question wholly from the standpoint of altogether subordinating every personal and private consideration to the exigency of what I believed the party, and that if the best interests of the country required it, I were prepared under those circumstances to enter his government. I thought that he should be animated by the same considerations and ought not to allow his personal feelings towards any gentleman to influence him.

I should like to know whether that statement is really true substantially. I think Parliament is entitled to an answer. In the formation of a government, it is usual for the Crown to furnish the fullest information.

Hon. Sir MACKENZIE BOWELL—I have no objection to answer, although I deny the position taken by the hon. gentleman that Parliament has a right to ask the result of any private interview.

Hon. Mr. SCOTT—It is not a private interview.

Hon. Sir MACKENZIE BOWELL—It certainly was a private interview which took place between gentlemen forming or reconstructing a government. Parliament is entitled to know the result of such interviews, but not conversations which took place during the negotiations. Another matter I desire to point out to the hon. gentleman is this: that

I refuse *in toto* to be held responsible for the statements made by the different reporters in the various newspapers, because my hon. friend might say that it is stated that I had entered into an arrangement and a bargain with Sir Charles Tupper as to my future course and my future action, and what might follow as the result of the reconstruction which has taken place. I take this opportunity to say that that is equally unfounded, and has not a scintilla of truth in it, and I am quite sure that Sir Charles Tupper, if he is applied to, will acquit me of having made stipulations in any way, directly or indirectly. I take this opportunity to give a flat denial to that. I decline, however, to enter into a controversy on the subject, or to explain what took place between Sir Charles Tupper and myself, or between any other gentleman during the negotiations. I have simply to say that portions of that statement which my hon. friend the leader of the Opposition has read, are not correct. There are other portions of it that may be correct, but deductions are very often drawn from conversations that are not only irrelevant, but far from the truth.

Hon. Mr. SCOTT—In the formation of governments it has been usual for Parliament to receive the fullest statement of the progress that has been made in the negotiations, and the important part of those really was whether the Premier, when Sir Charles Tupper was invited to become a member of the government, stipulated that the three gentlemen I have named should also be taken back into the government. It is a very simple question. Of course, if the hon. gentleman is not disposed to answer it directly, we must accept that.

Hon. Sir MACKENZIE BOWELL—For the information of the hon. gentleman, I will tell him that when we came to an arrangement as to what should be done, no stipulation of any kind was made; nor before such negotiations were begun.

Hon. Mr. SCOTT—The statement the hon. gentleman has just made to us will be received with a good deal of interest by the people of Canada, and they will be disposed I think to compare it with the statement delivered last week, and will be somewhat surprised that the whole point of controversy

between himself and the gentlemen who formed the Cabinet ten days ago was on the necessity of filling up the vacancy in the representation from the province of Quebec. He gave us his own parliamentary experience, and I think all of us could add our own experience, that it has never been a very serious matter for a vacant portfolio to remain unfilled for a considerable time. The hon. gentleman gave us several illustrations of it; the history of Canada is full of them, and therefore I doubt whether the people of Canada will be disposed to receive that statement as the true one. The statement made elsewhere intimated that the dissentient gentlemen had their misgivings from the beginning, that from the very first they doubted the ability of the hon. leader of the government to control his Cabinet. They say:

We have nevertheless unitedly and loyally striven to the best of our ability to make it strong and efficient, and it has been with growing regret that we have seen our efforts in a measure of success less than that for which we had hoped and striven.

Now that does not convey the idea that it is upon this single point, the vacancy caused by the retirement of the Hon. Mr. Angers, but that other circumstances, to which I do not propose now to advert, caused the breach between the leader of the government and his Cabinet. The hon. gentleman must have felt gratified during the past ten days at the outspoken sympathy, not only from his own party, but from gentlemen of all shades of politics, and the general feeling that he had not been fairly used by the dissident members of this government. That seemed to be the opinion of the hon. gentleman himself, in the explanations that he has given us from time to time during the past week, and therefore I think the explanation furnished to-day will be considered inconsistent with the speeches delivered on former occasions. However, that is entirely a matter for the party within themselves to settle, and I have no further comment to make upon the subject.

Hon. Mr. DRUMMOND—I think this House will accept with considerable surprise the proposition laid down by the hon. leader of the opposition that Parliament has a right to know whether any of the thousands of articles and rumours which appear in the public press are true or not. If the hon. gentleman claims that it is the right and

the duty of Parliament to investigate such reports, then it has its work cut out for it; there is no end of the work that will be provided for us. For my part, I dissent in toto from any such proposition, and on reflection the leader of the opposition will admit that he has advanced a proposition which cannot be accepted by any one in this House. It is to me a source of legitimate pride, and I think it will be so accepted not only in the ranks of the Conservative party but by every dispassionate thinker in this House, that the hon. ministers of the Cabinet who felt it their duty to retire from the government did so on a grave constitutional question and not in any sense on a personal one. I go further; I say that it is in the highest degree disrespectful not only to the government, but to the representative of Her Majesty, to suppose that the statement which we have just heard cannot be accepted as true. The hon. gentleman said he doubted that the people of this country would accept as true the statement now presented. In giving utterance to that expression, I think he exceeded slightly the legitimate criticisms which might be expected from the leader of the opposition. I say the statement must be accepted as true, and I repeat it is a source of satisfaction to me as a Conservative, and it must be a source of gratification to every right-minded man, that it was not due to a matter of pique, but to a constitutional issue. It is true, after the resignations, comments were made on all sides which would lead one to suppose that the reasons for dissent were wider than people had at first been led to suppose. I once more congratulate the leader of the Senate on the fact that the difficulty has been solved in a manner creditable to him as the Premier. I believe his explanation will be accepted by the country in preference to the conjectures of the leader of the opposition. As a Conservative, I rejoice over the accession to the government of a gentleman of world-wide reputation and life-long experience as a Canadian politician, and we ought to feel it a cause of legitimate pride to all of us that he has agreed to accept a subordinate position in the remodelled Cabinet. Coming from the province of Quebec, I am pleased to observe the acceptance of a Cabinet portfolio by the Hon. Mr. Desjardins, who is rightly referred to in the statement just now read,

as being well and favourably known in the province of Quebec.

Hon. Mr. POWER—The hon. gentleman from the Kennebec division has rather more of the Nathaniel about him than I had supposed. The hon. gentleman was under the impressions that the reason given on the floor of Parliament for changes in the government, which had taken place in connection with the reconstruction of the Cabinet, are to be taken literally as they are read. They are officially true, but they do not generally tell the whole truth. We have to accept them, just as when a man says to his neighbour, "as a Christian I forgive you," but one feels, like the man in the story, that there is no forgiveness at all—the First Minister's statement is a statement which gives us no information. We do not contradict—we have to accept the statement made by the First Minister, although we may think that there are a great many things which would have been very interesting which the statement has not disclosed. I think that every hon. gentleman, even the hon. member from the Kennebec division, will feel that the statement which we have had from the First Minister to-day is not at all the statement which we were led to expect from the observations made by the hon. the First Minister on the last occasion when he discussed the question of his difference with his colleagues. I suppose under ordinary circumstances we should be contented with hearing the statement of the First Minister and the very few observations made by the hon. leader of the opposition, but I presume that even the First Minister feels that we have been tried severely during the past few days. We have had very interesting events taking place under our eyes, and have been, in a certain sense, compelled to hold our tongues; and naturally we feel like saying something now when the tension is over. In the first place, speaking for myself (and I think that I voice the sentiments of the gentlemen—very few I regret to say in this House—whose political views are the same as my own) when I congratulate the First Minister upon the net result of the past few days. The hon. gentleman has been for several months now, the captain of the ship of state, and a mutiny has taken place on board of that ship, unprecedented in character—such a mutiny has never taken place on board the ship of

state in the previous history of England or any of her colonies—and we naturally, particularly as we sit in the same chamber with the hon. gentleman, are glad that he has, at any rate, for the present, suppressed the mutiny and is still at the helm. Whether the voyage of the ship, or his command of it, is to be long or short, we do not know. My own individual hope is that the hon. gentleman may continue to command during the present voyage, which I hope and believe will not be long. A great many persons, both in Parliament and out of Parliament, were of the opinion that, looking at the character of the differences between the hon. First Minister and the majority of his colleagues who went out a few days ago from the Ministry, that regarding the language used by the gentlemen who went out and the language of the First Minister and those who remained in with respect to one another, it was impossible that there should be a reconciliation such as, apparently, has taken place. I must say that, as far as I am individually concerned, I am neither surprised nor disappointed. I have been observing the leaders of the Conservative party for a considerable number of years, in the cool shades of opposition, which are so conducive to calm and quiet observation and thought, and I have come to the conclusion that there is no curve too sharp for a Conservative Minister to take for the purpose of remaining in office, or for a Conservative who wishes to get into office to take for the purpose of getting in. I rejoice that on the present occasion, at any rate, the curves have been chiefly upon the part of the dissident Ministers. I wish to call attention to the exact words used in another place by the hon. gentleman who is supposed to have been the leader of the dissidents—at all events, who was referred to by the First Minister as being the leader. The hon. gentleman from the Kennebec division has insisted that the leader of the opposition was in fact guilty of a breach of parliamentary etiquette in manifesting any hesitation in accepting the statement of the First Minister as telling the whole truth. I turn to the speech delivered by the Hon. George E. Foster in the House of Commons on the 7th of January, and I find this statement, after mentioning a number of circumstances :

Under these circumstances we thought it our duty to retire, and in this manner to pave the way,

if possible, for the formation of a government whose Premier could command the confidence of all his colleagues, could satisfy the Liberal-Conservative party that its strongest elements were at its head and impress the country that it had a government which was united and had power to govern.

Those remarks do not seem to indicate that the vacancy in Quebec was the real difficulty, or that it had very much to do with the retirement of the hon. gentleman and his friends from the Ministry. It is not necessary to quote any more, because the hon. gentleman from the Kennebec division must know that, except in a Pickwickian sense, the vacancy in the Cabinet from Quebec was not the real cause of the difficulty. After that expression from the hon. gentleman who formerly led, and I presume still leads the House of Commons, it is rather gratifying to us in this chamber, and particularly to the hon. First Minister, to find that that gentleman has consented to come in and to serve under the First Minister whose incompetency, as they alleged, had obliged him and his colleagues to retire. Some reference has been made by the hon. leader of the opposition to an interview with Sir Charles Tupper, published in a newspaper. The First Minister said that he was not responsible for the statements in the press, and that one could not attach much confidence to them. But this was not a statement made by a reporter. This statement appeared in the Government organ in Toronto, the *Mail and Empire*, and it was given in inverted commas, and was evidently an interview carefully dictated by Sir Charles Tupper, expressing his own opinions and his views after an interview with the First Minister. Under these circumstances, it is perfectly natural and proper that Parliament should be informed as to whether the statements made by that hon. gentleman were correct or not. I go this far: I agree with the First Minister that it is an extraordinary thing that a gentleman who has had the long parliamentary and official experience which Sir Charles Tupper has had, should make a statement of that kind for publication in a newspaper. If there is anything that ought to be confidential among public men, it is just such an interview as took place between the First Minister and Sir Charles Tupper, and the publication of that interview by the latter gentleman goes to show, either that old age is impairing his faculties—he is now, I believe,

in his seventy-fifth year—or that the hon. gentleman was under the impression, when he dictated that interview, that all hope of the reconstruction of the Cabinet, as he wished, was at an end, and that he wished to place himself before the people of Canada as being particularly generous and public-spirited. I know he has a great faculty for advertising himself that way. While we naturally congratulate the First Minister upon his success in reconstructing the government, and on his having put down the mutiny in his crew, still we may be allowed to conjecture somewhat of his feelings and of the position in which he is. The hon. gentleman now sits at the head of a Cabinet, the majority of whom he knows are not his friends, and he knows that a majority of them have, through their spokesman, stated that they do not think that he is the person who should fill that position. One can imagine the hon. gentleman who fills the office of Minister of Finance smiling blandly through his spectacles at the First Minister who sits not very far from him, I presume, at the Council Board, and, while he smiles, I can imagine that hon. gentleman privately whetting the axe which was, I believe, to have been applied to the purpose of cutting off the mouldering branches of the National Policy, but which, having failed in doing that duty, has been latterly used for the purpose of cutting off the mouldering branches of the Cabinet, including the First Minister. My hon. colleague from Halifax apparently thinks it better that I should not make any further observations with respect to the hon. gentleman who recently filled the office of High Commissioner, and perhaps it is just as well.

Hon. Mr. ALMON—There is life in the old gentleman yet.

Hon. Mr. POWER—Yes, there is life in him, but I may say that in 1891 that hon. gentleman gave the public to understand, through the press or through some interviewer, that he felt that he had attained too great an age to undertake such a serious responsibility as being Premier of Canada, and now, after the lapse of nearly five years, I find the hon. gentleman, who has not been growing younger and stronger during the time, is of the opinion that he is quite capable of assuming the duties of the Premiership. That is another illustration

of the fact that the statements of public men are not to be taken literally. Now, apart from the recent crisis, there are one or two questions which, I think, one has a right to ask the hon. First Minister. I notice that in the reconstruction of the government there is no mention made of the Solicitor General, who is a somewhat important officer, and whose office is one which I think ought to be filled, particularly at the beginning of the session. I had hoped that a prominent member of the legal profession in the province of Quebec, who was recently placed in this House, would have been appointed Solicitor General, to give the government valuable and needed assistance in passing their measures through this chamber. I am sorry that the hon. First Minister has not informed the House that our expectations in that respect have been realized. There is just one other point which I should like to call the hon. Minister's attention. He may answer or not, of course, at his discretion—that is, with respect to the position of the comptrollers. In the Act which provided for the appointment of these officers, it was stated that they were to be under the direction of the Minister of Trade and Commerce, or Finance Minister, that they were to report through the Minister and not directly; and, as a matter of course, if these comptrollers are under the control or jurisdiction of another Minister—and in the discussion which took place in the House of Commons at that time, I think it was stated by Sir John Macdonald, the First Minister of the day, that these officers were to fill somewhat the same positions as the under-secretaries in England—they were not to be members of the Cabinet, and they were merely to assist in the transaction of the business of the departments to which they were attached. It was understood that that was the intention when that legislation was passed, and when those officers were appointed. It has been stated recently that the comptrollers are members of the Cabinet, and, of course, being members of the Cabinet, they can go to a meeting of the Cabinet and vote down their principal, the Minister of Trade and Commerce or the Minister of Finance. Clearly that was not the intention of Parliament when those offices were created, and I think that the House has a right to know from the First Minister whether or not these gentlemen are, or are to be

members of the Cabinet. I have nothing more to say, hon. gentlemen, except to congratulate the government on the fact that the period of suspense which has lasted for some twelve days has at length happily terminated.

THE ADDRESS.

MOTION.

The Order of the Day having been called

Consideration of His Excellency the Governor General's, speech at the opening of the sixth session of Parliament.

Hon. Mr. OWENS said—While I fully appreciate the honour conferred upon me in calling upon me to move the Address in reply to the Speech from the Throne, I only regret that one more experienced and more able than myself had not been selected. The Premier in choosing a most humble supporter of the government in this House, has given evidence of his faith in the policy of the government and confidence in the wisdom of the measure to be submitted for the approval of the Senate during the present session. I will ask the indulgence of the House for a few moments while I briefly glance over the subjects referred to in the Speech from the Throne. Reference is made to the bountiful harvest with which Canada has been so specially blessed during the past year, and for which we have cause to be thankful throughout the Dominion. It is fair to assume that the righteous administration of the government has done much to influence the Giver of all good to pour down this blessing upon this Dominion of ours and favour us with the most bountiful harvest in the history of our country. I am able further to apply the same principle to our trade and commerce. While other countries have seen their trade and commerce paralyzed by the recent crisis and their banking and financial institutions passed in to the hands of receivers, Canada has been steadily moving onward. Her exports, the true index to the prosperity of the country, have been increasing year by year to such an extent as to call forth the admiration of the world at large, and if Canada occupies the proud position she does in the world commercially, it is due in no small degree to the trade policy of the government, that national policy which has done so much to tide Canada over the late crisis and establish

confidence in her people, in their ability to produce and to manufacture, not only for our own people, but to compete successfully for the trade of the world at large. Reference is also made to the extension of mining enterprises in Canada, and more particularly in British Columbia. It is evident that our mining resources only require development to demonstrate the fact that our mines are amongst the richest in the world, that they are practically inexhaustible, and in the near future will become a source of revenue and wealth to the country. We are pleased to notice the reference to the Indian reservations and to the Indian industrial schools. The Indian problem is a difficult one to deal with and we should feel grateful for the success attending the policy of our government in reference to the Indians, which is in marked contrast with that of other countries. The result of it is that our Indians are comparatively happy and among the most loyal of Her Majesty's subjects. Allusion is made to the North-west Mounted Police and to their valuable services, which are indispensable in that portion of our Dominion. I have reason to hope that any measure that may be brought down for the better maintenance of that body and also for the better arming and advancement of our militia will receive from this House the cordial support to which it is entitled. Reference is also made to the Manitoba school question. While it is a matter of regret that this matter should have been brought within the arena of federal politics, I have reason to hope that the election which takes place to-day will result in a measure being passed by the legislature of that province which will render unnecessary any legislation here. But, should it be otherwise, the policy of the government has been well defined and will follow closely in the lines laid down by the Judicial Committee of the Privy Council, the highest tribunal in the empire. We are gratified to learn that the Imperial authorities have under consideration a proposal to connect Canada with Australia by means of a Pacific cable. This will, no doubt, tend largely to increase the trade between the two countries, and also to draw closer to each other and the mother country the outlying portions of the British empire. We also are gratified to learn that, acting upon the suggestion of our government, the Imperial authorities have expressed their

willingness to grant a substantial subvention towards establishing a fast line of steamers between Great Britain and Canada. It cannot be denied that the action of the present government during the past year in providing cold storage for our agricultural products, in placing refrigerators upon our cars and steamships, has done much to develop trade in these products, enabling, as it has done, our farmers and others to place their fruits and vegetables as well as the products of the dairy upon the English market in the very best possible condition. I have reason to hope that the action of the government in thus bringing Canada and Great Britain nearer together, will tend not only to increase trade between the two countries, but will also intensify the loyalty which exists throughout Canada to the sovereign and the government of Great Britain, that loyalty of which we as Canadians are so proud. We maintain that the British Empire and its Queen have no subjects more loyal than the inhabitants of Canada, and that loyalty extends from the Atlantic to the Pacific irrespective of creed or nationality. I thank this honourable House for the kind indulgence extended to me, and I beg again to express my appreciation of the honour the Premier has conferred upon me and upon the division which I have the honour to represent; and I now have much pleasure in moving the adoption of the following resolution in reply to His Excellency's speech from the throne:

TO HIS EXCELLENCY the Right Honourable Sir JOHN CAMPBELL-HAMILTON GORDON, Earl of Aberdeen; Viscount Formartine, Baron Haddo, Methlic, Tarves and Kellie, in the Peerage of Scotland; Viscount Gordon of Aberdeen, County of Aberdeen in the Peerage of the United Kingdom; Baronet of Nova Scotia;

MAY IT PLEASE YOUR EXCELLENCY:—

We, Her Majesty's dutiful and loyal subjects, the Senate of Canada in Parliament assembled, humbly thank Your Excellency for your gracious Speech at the opening of this Session.

We also thank Your Excellency for informing us that, in accordance with the announcement made during the last session, Parliament has been summoned somewhat in advance of the usual period.

We heartily share Your Excellency's feeling that the bountiful harvest with which Canada has been blessed is a cause for the deepest thankfulness to the Giver of all good.

We rejoice that Your Excellency is able to congratulate us upon the evidence of increased activity in the various branches of commerce and industry.

We are gratified to hear that several such indications have come under your personal observation during a tour made recently in the North-west Territories and British Columbia, and that, in par-

ticular, Your Excellency noticed the extension of mining enterprise in British Columbia, where the vast mineral resources are in certain localities being now developed and utilized upon something like an adequate scale.

It affords us much pleasure to hear that a special feature of the same tour consisted in the opportunities obtained for visiting a number of the Indian Reservations and also the Indian Industrial Schools. We are glad to learn that on the former Your Excellency was received with hearty demonstrations of loyalty and good-will, while in connection with the latter the proofs of proficiency and intelligence on the part of the children were highly encouraging.

We are glad to be informed that as to the work of the Indian Department as a whole, the manner in which it is directed and administered appears to be very satisfactory.

We agree with Your Excellency that a reference to these topics would be incomplete without an allusion to the valuable services of the North-west Mounted Police, and we respectfully note Your Excellency's opinion that that force may justly be regarded by Canadians generally as indispensable, under present conditions, to the well-being of those extensive and promising portions of the Dominion in which it is stationed.

We thank Your Excellency for the intimation that immediately after the prorogation of Parliament, Your Excellency's government communicated through the Lieutenant-Governor of Manitoba with the government of that province, in order to ascertain upon what lines the local authorities of Manitoba would be prepared to promote amendments to the Acts respecting education in schools in that province, and whether any arrangement was possible with the Manitoba government which would render action by the Federal Parliament in this connection unnecessary. We receive, with a deep sense of its importance, Your Excellency's statement that you regret to say that the advisers of the Lieutenant-Governors have declined to entertain favourably these suggestions, thereby rendering it necessary for Your Excellency's government, in pursuance of its declared policy, to introduce legislation in regard to this subject. We also thank Your Excellency for the information that the papers will be laid before us.

We are happy to be informed by Your Excellency that the representations of your Government and the suggestions of the Ottawa Conference respecting steamship communication, have resulted in an announcement by the Imperial authorities of their willingness to grant a substantial subvention towards the Atlantic portion of the scheme.

We share Your Excellency's trust that this will ensure the successful establishment of a line of steamers between the United Kingdom and Canada, which, in point of speed and equipment, shall fully meet all requirements.

Your Excellency has informed us that your government have also learned with satisfaction that it is the intention of the Secretary of State for the Colonies to appoint a committee to consider a proposed Pacific cable to connect Canada with Australasia. Your Excellency may be assured that we share the gratification with which your advisers welcome these announcements as affording further evidence of the desire of Her Majesty's government to draw closer to each other and to

the motherland the outlying portions of the Queen's Dominions. We thank Your Excellency for stating that the papers on these subjects will also be submitted to us.

We observe with great interest that our attention will be asked to measures intended to provide for the better arming of our militia and the strengthening of Canadian defences.

We are gratified to learn that the growth of population in the North-west Territories, as disclosed by the last enumeration, calls for additional representation in parliament, and that a Bill for this purpose will be laid before us.

We are happy that Your Excellency is able to inform us that the commissioners appointed by Great Britain and the United States for the purpose of delimiting the boundary between Alaska and Canada have concluded their labours, that they have signed a joint report for presentation to their respective governments, and that this report will be laid before Parliament in due time.

We are also pleased to hear that at the request of the Right Honourable the Secretary of State for the Colonies a delegate of Your Excellency's government visited England last summer to confer with the Imperial authorities on the question of Copyright, and that this report will be laid before us. Your Excellency may be sure that this subject will again receive our earnest attention.

We receive with interest Your Excellency's announcement that we shall also be asked to consider measures for the extension and development of our trade in agricultural products with the United Kingdom and other markets.

Your Excellency may rest assured that these subjects and others which may come before us shall have our earnest consideration, and Your Excellency may safely rely upon our wisdom and prudence under the Divine guidance to discharge with dignity and effect the high trust committed to our care.

Hon. M. VILLENEUVE :—Honorables messieurs, en me levant pour la première fois dans cette enceinte pour adresser la parole, j'éprouve le besoin de réclamer des honnêtes distingués qui m'entourent une indulgence toute spéciale pendant que je ferai quelques remarques sur les sujets contenus dans le discours qu'il a plu à Son Excellence de prononcer à l'ouverture de cette session.

Et d'abord, laissez-moi vous dire combien je me sens honoré d'avoir été appelé à faire partie de cette Chambre illustrée par la présence de tant d'hommes qui ont fait leur marque dans l'histoire politique du pays, et avec lesquels il me sera désormais permis de travailler dans l'intérêt commun.

Le gouvernement, fidèle à ses engagements, a convoqué, cette année, les Chambres à une date beaucoup plus prompte que d'habitude, et le pays lui en saura gré puisqu'il prend par là le moyen de faire cesser le malaise que des questions importantes non encore décidées, entretient depuis trop long-

temps déjà parmi les divers groupes de notre population.

Intéressé comme tout bon Canadien doit l'être à la prospérité de son pays, je ne puis qu'être heureux de répéter, après Son Excellence, les expressions de satisfaction et de gratitude envers la Providence pour la prospérité qui va découler de l'abondante récolte dont nous avons été favorisés cette année et qui aura pour effet de donner un regain d'activité à toutes les branches du commerce et de notre industrie nationale.

Personne n'était mieux qualifié que Son Excellence pour témoigner de ces faits, puisqu'avec cet intérêt qui a marqué tous ses actes et ses démarches depuis son arrivée parmi nous, le représentant de Sa Majesté a voulu se rendre compte par lui-même de la situation, en visitant les parties les plus importantes du pays, et spécialement notre Grand-ouest canadien.

Les nouvelles que Son Excellence nous rapporte des développements considérables de l'industrie minière en Colombie et de l'extension de l'industrie agricole dans les Territoires sont de nature à accroître les grandes espérances que nous entretenons pour l'avenir de ces magnifiques régions.

Nous ne pouvons que nous réjouir également des succès obtenus, parmi les réserves indiennes, de cette politique si pleine d'humanité qui honore les institutions canadiennes, par contraste à ce que l'on a vu trop longtemps ailleurs.

Nous nous joignons très volontiers pour porter, avec Son Excellence, bon témoignage de l'efficacité des services rendus par la police montée pour la sécurité de la population de ces territoires.

J'aborde maintenant la question qui fait, depuis 1890, l'objet des préoccupations sérieuses de tous ceux qui désirent justice égale, reconnaissance et respect des droits de chacun, tels que garantis par la constitution de notre pays.

Maintenir la justice, respecter la constitution, donner l'exemple de la soumission loyale aux décrets des tribunaux régulièrement constitués, garder surtout pour les décisions du Conseil privé de Sa Majesté cette déférence, cette loyale adhésion qui a été une des plus fortes garanties que chacun des sujets de Sa Majesté ait possédée jusqu'ici pour le maintien de ce qu'il a de plus cher ; voilà ce que signifie la politique actuelle du gouvernement canadien.

Aussi, je ne puis entretenir de doute que

l'accueil que va recevoir la législation que Son Excellence nous fait entrevoir au sujet des droits de la minorité, à Manitoba, sera dictée par la justice en même temps que la modération, et que l'exécution du jugement du Conseil privé, au refus du gouvernement manitobain de s'y soumettre, sera une leçon pour toutes majorités provinciales qui seraient tentées, à l'exemple du gouvernement Greenway, de fouler aux pieds des droits garantis par les traités et la constitution, et ouvertement reconnus par le plus haut tribunal de l'Empire.

Si nous tournons maintenant les yeux du côté de l'est, nous sommes heureux d'entrevoir l'établissement prochain d'une ligne rapide de navigation entre le Royaume-Uni de la Grande-Bretagne et le Canada ; réalisation d'un projet longtemps entretenu par le Canada et qui ne pouvait réussir que par le concours effectif de la métropole, grâce à la présence, au ministère des colonies, de l'homme distingué qui s'est fait l'ami de la politique de rapprochement qui doit, dans l'avenir, consolider toutes les parties de l'Empire Britannique.

Les subsides que le gouvernement impérial se déclare prêt à accorder compléteront le montant nécessaire à cette entreprise, dont le Canada avait déjà généreusement contribué sa large part.

Nous sommes également heureux d'appréhender qu'il entre maintenant dans l'idée de la politique impériale d'étudier les moyens d'obtenir, par l'établissement d'un câble sous l'océan Pacifique, des communications directes avec l'Australie. Nous n'avons aucun doute que ces études seront bientôt suivies de mesures qui assureront l'accomplissement de ce projet destiné à compléter ces relations intercoloniales inaugurées sous de si heureux auspices, il y a deux ans, grâce à l'impulsion énergique et éclairée que leur avait donnée sir Mackenzie Bowell, le chef du gouvernement actuel.

Nous devons tous, sans doute, espérer, pour la cause de l'humanité, qu'il est loin le jour où nous verrons se réveiller sur le sol nord américain les désastres et les malheurs de la guerre ; néanmoins, ne serait-ce que pour rappeler que l'une des conditions de la paix se trouvera toujours dans le maintien d'une force capable d'éviter de fâcheuses surprises et d'inspirer le respect à l'extérieur comme à l'intérieur du pays, je n'ai aucun doute que le parlement ratifiera patriotiquement toute sage mesure que le gouvernement

proposera dans le but de donner plus d'efficacité à l'organisation de notre système militaire.

Le progrès du pays, l'accroissement de sa population, son avancement dans l'industrie et les sciences requièrent de la part d'un gouvernement vigilant une législation propre aux besoins nouveaux, et je suis heureux de constater que dans les différents autres paragraphes du discours du trône, ces divers intérêts ont reçu de la part du gouvernement l'attention nécessaire.

C'est donc avec une vive satisfaction que je propose que l'adresse suivante soit présentée à Son Excellence en réponse à son gracieux discours.

Hon. Mr. SCOTT—The two hon. Senators who have recently been added to this chamber have performed the duty allotted to them with good taste. They are gentlemen of some experience, both having been, I believe, members of provincial legislatures, and we may therefore anticipate that they will be an acquisition to this body, and that we shall derive some advantage from the experience they have gained in dealing with provincial affairs. It is always expected that gentlemen who move and second the reply to the address will be somewhat effusive in their praise of the government policy, but I must say that these gentlemen have spoken with great moderation and tact, and have dealt with the various clauses of the speech in a fair-minded manner. I must also here offer my congratulations to the Premier that during the interregnum which has occurred he has been able to fill the vacancies that were so long promised. It is an indication that the charges made against him by some of his colleagues were not founded on fact. Hon. gentlemen will agree that we have rarely seen a number of the *Gazette* containing more appointments than the last one issued ; that is the very best answer that could be made to the complaint of the hon. gentleman's colleagues as to his want of ability, or his hesitancy in dealing with public affairs. I suppose we all are willing to join in rendering thanks for the bountiful harvest with which Canada has been blessed. We are glad at all event that the tillers of the soil have received some advantage, although the prices are so extremely low. When we come to reflect upon the wide area over which Canada extends, it is indeed marvellous that

the harvests should have been so uniformly good. The next paragraph of the speech is one that perhaps permits of some challenge as to its expediency. We are asked to rejoice over the evidences of increased activity in the various branches of commerce and industry. Now, considering that Canada has probably as many advantages as most countries in the world, if not more, that we have millions of broad acres that are unrivalled in their richness, that we have forests that are teeming with wealth and which add considerable to our income every year, that we have the finest fisheries in the world and that, as has been stated by the mover of the address, we have mines which give indications that they will be second to none in any country of the world—with all these advantages I maintain that we are not in a position to join in congratulations on our increased activity in these branches of industry and commerce. A country situated as Canada is should be growing and advancing continually, yet we find, that within the last 18 years, although vast sums of money have been spent to bring people into the country, we have not been able to retain even the natural increase of the population. We see to-day nearly 1,000,000 Canadians—one-fifth of our population—in the neighbouring republic, drawn there from some cause or another, by what are apparently greater attractions, and leaving their native land which certainly ought to present as many advantages as any country. There must be some cause for this. Our trade it appears, also, has not increased during the past year; on the contrary it has gone back. Since confederation we have purchased abroad on an average \$18,000,000 worth annually, over and above the value of our exports: that is to say, importations have exceeded exports to that amount annually, making a total of \$500,000,000 since confederation. It has been pointed out in the past that we have been rapidly progressing because our importations were so large. Singular to say, last year our importations were less by \$3,000,000 than our exports. Now it cannot be possible that both conditions are indicative of advancement, namely both an ability to purchase in excess of the amount of exportation, and the falling off in the amount of such purchases. There is an inconsistency somewhere. It will be argued, I suppose, that the people buy at home and that the national policy has done it all.

All I can say is, it is very strange that the national policy did not have this good effect in years gone by, when business was very much more inflated than it is to-day. Again, the reduction in our importations has had the effect of materially reducing our revenue, so much so that we have had what I am sorry to say has been so frequent of late—a deficit. The next paragraph of the Address is somewhat personal, as regards His Excellency, and we are glad to know that his observation of affairs in the North-west and British Columbia was so gratifying and satisfactory. His Excellency has taken a more than ordinary interest in the development of the Canadian North-west, and in British Columbia, as we all know, he has invested largely and has been able to produce ample evidence that the country is adapted to the production of grain and cattle. He is also conducting experiments to find out whether that province is not also suitable for the growth of fruit, and if he is successful we shall be glad to hear of it. Current report leads us to believe that British Columbia is admirably suited for horticultural industries, and we hope His Excellency's venture may prove a success. The next paragraph of the speech is what might be called the *pièce de résistance*, namely, the one dealing with the Manitoba school question. We certainly regret that the government of Manitoba has declined to remove the grievances of the minority. As we know, during the six years in which this question has been discussed, the difficulty of settling it has been increasing daily. The difficulty has developed and become greater during the past year than in previous years. Unhappily the press—and by this I do not mean the press of one political party alone but the press of both parties—particularly in the province of Ontario, has not sought to allay or diminish that feeling. The cry has gone forth that Manitoba ought not to be coerced, wholly ignoring that coercion of the minority which has already taken place. I repeat, it is much to be regretted that this question was not dealt with the first year in which it arose. It has been stated that in that session—the session of 1890—a resolution was adopted in the House of Commons that such questions should be submitted to the courts. Granting that it should have been so submitted, why was it not submitted then and there? It appears from the blue-books that this Act of the province of Manitoba was

passed on the 31st of March, 1890. On that very day the Lieutenant-Governor communicated with the government of Canada, inclosing a petition from various persons in Manitoba asking that the Crown exercise its right of veto. Even before the bill was passed, the attention of the Ottawa government was called to its introduction in the local House, for I find a correspondence dated prior to the time when the Act received the assent of the Lieutenant-Governor. If the matter had been then and there referred to the Supreme Court, as under our constitution we had a right to do, that court would, no doubt, have dealt with it as they did later on, by declaring it to be *ultra vires*, and the difficulty would not have attained its present proportions. In order to show that it was the opinion of the government of the day that by a reference to the courts questions of this kind were not intended to be withdrawn entirely from the control of the executive, I will read some observations made by Sir John Macdonald when he accepted Mr. Blake's resolution with regard to this matter. He distinctly laid down the principle—and Mr. Blake also recognized it—that the government could only ask for advice, that they were not to be debarred by any decision of the court from considering the question—that, in fact, it was their duty to so consider it. I may say that Mr. Blake's resolution went this far, that on questions of this kind it was desirable to obtain the opinion of the court before the executive proceeded to action. Sir John Macdonald, the leader of the government at the time, said:

Of course my hon. friend (Mr. Blake), in his resolution, has guarded against the supposition that such a decision is binding on the executive. It is expressly stated—and that is one of the instances which shows that this resolution has been most carefully prepared—that such a decision is only for the information of the government. The Executive is not relieved from any responsibility because of any answer being given by the tribunal. If the Executive were to be relieved of any such responsibility, I should consider that a fatal blot in the proposition of my hon. friend. I believe in responsible government. I believe in the responsibility of the executive, but the answer of the tribunal will be simply for the information of the government. The government may dissent from that decision, and it may be their duty to do so if they differ from the conclusion to which the court has come. There is another point in regard to which the court must be guarded in the measure which will be introduced—not this session but I hope next session—based on this resolution, and that is, that the answer, what

ever it may be, should be considered in the nature of a judgment so far as to allow of an appeal to the Judicial Committee of the Privy Council.

Had that question been promptly referred to the Supreme Court, as it might have been under the law, and had that court given the decision which it afterwards rendered, that the law was *ultra vires* (a decision which was afterwards overruled, however, by the Judicial Committee of the Privy Council) the government of Canada would have certainly been forced to obey, and I am quite sure had it been foreseen that all this confusion would have arisen that line would have been taken. I do not know that it is necessary to comment further on this part of the subject, because I trust that no case of the kind will ever arise again; but if a case of this sort were to happen in the future, it would be infinitely better to prevent such an unhappy agitation as has taken place over this question. Had the Act of the Manitoba legislature been vetoed at the time it was passed, there would have been no agitation in the country, because the great body of the people then believed that it was *ultra vires*. There were then living witnesses who could testify to the rights of the minority under the constitution, and we had Sir John Macdonald's own statement over and over again that it was *ultra vires* of the legislature of the province of Manitoba to pass that Act. I say, therefore, that it is most unfortunate that a different policy was not adopted. Should similar cases arise in the future, we ought to settle them at home and abide by the decision of our own Supreme Court, rather than submit them to the Judicial Committee of the Privy Council, who do not understand our constitution as thoroughly as does our own court. I trust that when kindred questions arise we shall settle them for ourselves and avoid a reference to the court on the other side of the Atlantic which, according to the proofs we have had in the past, has not a proper comprehension of the Canadian constitution. Any one who has read the first judgment of the Judicial Committee will appreciate what I say. They mixed up parliaments and legislatures without evidently having a clear idea of the lines of distinction between the two, and hence I think in future we ought not to submit important questions like this to a body that takes so little interest in our constitutional affairs as to create the con-

fusion they did in this particular case. The next two paragraphs of the Speech refer to the Atlantic fast line and the Pacific cable. As to the fast line, that no doubt will be of some advantage in advertising the country, and if Great Britain is willing to grant a handsome subsidy towards the project it may be wise to accept it. I am not prepared to speak definitely on the matter until we learn what the amount of the contribution will be. My own view is that if we could strike off some of the shackles which now bind the trade between Great Britain and ourselves, we would find an abundance of steamers plying between Canada and Great Britain to meet the requirements of the situation. This fast line, I am aware, is intended chiefly for the purpose of advertising Canada, and of showing particularly that the highway between Great Britain and the far east through Canada has advantages over any other route. To that extent it may be an advantage to us. As to the Pacific cable, the view to be taken depends largely also upon the amount of the contribution which may be made by Great Britain and the various colonies affected. It is, of course, a step in the right direction so long as our finances will admit of the scheme being carried out. It is undoubtedly a proper thing to bring together the various colonies of the empire by all possible means. The next paragraph of the speech would, I think, have been very much better left out, namely, the one in which reference is made to the necessity for the better arming our militia and the strengthening of Canadian defences. So far as concerns our defences at ports like Esquimalt, Quebec, Halifax and St. John, or any other points on either ocean, I think it is not only wise and prudent, but that it is our duty towards the empire, to maintain the fortifications in such a condition as to render them of material service to the mother country in the event of any entanglement with any countries other than the one immediately to the south of us. If it is intended, however, (which I trust is not the case) to fortify points along the international boundary, I think the suggestion is very unfortunate. I presume it arises out of the feeling created by the communication addressed by the President of the United States to Lord Salisbury. That document has not received the moral support which was expected from the better class of the population of the United States; and already the war feeling

that arose is day by day abating. The better classes in the United States, and nearly all classes in Great Britain, view with horror the prospect of war; in fact they do not admit that it is within the range of possibility that two countries, so closely allied by blood and by business relations, should come into collision. Each of these countries is the best customer of the other. Vast sums of money belonging to British subjects are invested in the United States, and as I have said, the ties between the two countries are of such a nature that war cannot possibly arise between them. It is at once our interest and our duty to promote that feeling. Canada, of course, is prepared to stand by the Empire in any emergency, but I think we will show not only good judgment but true loyalty to the Empire by suppressing any jingo sentiment rather than by encouraging it. It would be supreme folly for us to think of fortifying as against the United States. What would be the result? They also would erect fortifications, and would no doubt give notice that after 12 months, which I believe is the term prescribed by law, they would launch an additional number of armed vessels on the great lakes. That would be an extremely unfortunate thing. We all know that year by year questions arise between Canada and the United States in relation to fisheries and other matters; and if both countries were prepared for war I am afraid that the consequences might be very serious. When a cause of difference arises, if the parties to that difference are prepared for war their representatives are sometimes inclined to act hastily and do injudicious and imprudent things; and therefore I think we would be wiser to promote the view that war between the United States and Great Britain is impossible. I am glad to see that of late years the attention of the leading men of the United States has been directed towards the desirability of having all questions arising between the two countries submitted to a standing board of arbitrators. I do not think that it is necessary at all that we should stimulate the feeling of loyalty in Canada. The Canadian people are proud of their country, and well they may be. There is no country in the world that has greater or stronger attractions than Canada. Our system of government, we think is the best that could be devised. It is from time to time shown

to possess defects, but it is within the power of the people at all times to make such changes as they think proper. The form of government which we have adopted is, as we all recognize, infinitely superior to that of the neighbouring republic. We have seen theirs break down repeatedly, and it is admitted to-day, even by its own citizens, that it is a failure. It may have answered in the days of Washington and Jefferson, one hundred and twenty-five years ago, but it is not suited to the state of society which exists in the United States to-day. There is not sufficient responsibility to Congress, so far as the President is concerned. He is as autocratic, almost, as the Czar of Russia. We, in Canada, enjoying greater liberty under our system, would never consent to anything of the kind if other conditions were possible, and, as I said before, the people of Canada are not only thoroughly attached to their own system of government and their own country, but also to the empire. In the past we have given evidences of our loyalty to the flag of England. I need not go back to the time when our forefathers settled in this country after the close of the war for independence in the United States. I am glad to say that a considerable number of our citizens now exist who can trace their descent from the U. E. Loyalists. Our ancestors gave the best possible proof of their loyalty to the flag, and later on, when England was engaged in struggles with other nations, they gave further proof of their attachment to the old flag, as they will be prepared at any time to do when necessity arises to defend their altars and their hearths. But, none of us need consider that contingency if we cultivate the arts of peace with our neighbours, and with no other nation can we be embroiled. Therefore, I hope that when we get the explanation of the proposed defences, it will be found they are to be exclusively confined to the outposts on the Atlantic and the Pacific, where they may be of service if England becomes embroiled in contests with any other power than the United States. I do not propose, so far as I am concerned, to move any amendment to the address.

Hon. Sir MACKENZIE BOWELL.—I am glad to know that I am not called upon to criticise at any length the remarks of the leader of the opposition. I appreciate

the compliment which he has paid, not so much to myself as to the gentlemen who have recently been appointed to seats in the Senate. Last year the same compliments were bestowed, and the remark was made that those who had been selected were not only worthy of the position to which they had aspired, but that they would be creditable to the Senate and prove of great value in the legislation of the country. I am quite sure that the leader of the opposition will join with me in the same commendations upon the selections which have been made of the gentlemen introduced in the Senate during the present session. They will add not only dignity but value to our deliberations. If we require evidence of that fact we have it in the speeches which have been delivered by both the mover and the seconder of the address. They give evidence of a thorough knowledge of the business of Canada and show a proper appreciation of the country in which they live—of its great resources and the independent character of its people. After speaking of these appointments, the hon. gentleman referred in his usual way—I hope he will not consider me wanting in courtesy when I say, that I think I heard the same expressions from him once or twice before—to the old, old story of the exodus from Canada, and the low prices which the farmers receive for their products. It is true that the prices are low. It is equally true that the prices of articles purchased by consumers are comparatively as low as are the prices they obtain for the products of their farms, and consequently they are in no worse position than they have occupied in the past when the prices for farm products were higher. We have been told a great many times, not only during the last year, but during the last Parliament, that there are large numbers of Canadians in the United States. Investigation proves that when we compare the population of the United States with that of Canada, that there are as many United States citizens in Canada in proportion to our population as there are Canadians in the United States compared with their population. It is a characteristic of the Anglo-Saxon and Celtic races to keep moving about. They are restless people and the rising generations are continually looking forward to bettering their positions in life, and therefore go to all parts of the world. What would Canada be to-day

if that were not the case? I would ask my hon. friend who has drawn attention to the movement of our people, from what stock did he himself spring? Had his father not been an old countryman, possibly he never would have come to Canada, to grace the halls of this illustrious assembly. And so it is with half of those about me; so it was with my own family. My father thought there was a better field in other portions of the British Empire outside of England, in which he could bring up his family, and that the prospects would be better in the western world than the locality in which he was born. So it is with the Canadians, and with the Americans who sprang from the same stock, and so it will continue to be so long as the race exists. It is gratifying however, to know that the hon. gentleman has such an exalted opinion of the capabilities of the country in which he lives, and the very fact of that becoming known has led to an influx of population to a greater extent than ever before from the republic to the south of us, many of whose inhabitants are now enjoying comfortable homes in the North-west. Let me hope that they may increase. When we speak of the low prices of the products of the farm, we should not forget that there are other great producing countries of the world. There was a time when Canada and the United States were almost the sole sources of supply for the consuming portion of Great Britain. That monopoly no longer exists. Since the hon. gentleman has grown to manhood the Argentine Republic has sprung into existence, and Egypt, Russia and different portions of the British Empire, including the colonies of Australia, are pouring the products of the farm, not only the cereals, but meat and dairy products, into the British market. Our own North-west has produced during the last year from fifty to sixty million bushels of surplus grain of various kinds and qualities, and as that production increases, so in proportion must the prices fall; but if the price of the articles which they consume fall proportionately, and money can be obtained at low rates of interest in order to improve their farms and carry on business on a larger scale, there will be nothing to complain of. That is another important element to be considered when you talk about low prices and the want of

progress that apparently exists in the country. The hon. gentleman referred to the excess of imports over exports. What deduction he desired the House to draw from that I cannot perceive; but I know it is the theory of the free-trader, and it is the theory of the party with which the hon. gentleman is now allied, that an excess of imports over exports is no evidence whatever of a deterioration either in the trade or in the prosperity of the country. I am not prepared myself to admit, except in theory, what is argued by the free-traders and the economists of that particular stripe. I prefer to take practical results rather than theories. The hon. gentleman again referred to the—I say it in all sincerity—unfortunate school question which is agitating the country. It seems to me if there are any deductions to be drawn from the statements and arguments which he advances, that his remarks are a justification of the course which the government has pursued. The hon. gentleman laid down this principle first, that we should not have the power of appealing to the Privy Council, that we should settle all these matters in our own courts. Where would my hon. friend's minority be to-day if his theory had obtained? The highest court in Canada decided that the Manitoba School Act of 1890 was *ultra vires*. Had there been no appeal to the Judicial Committee of the Privy Council, that would have left the minority in precisely the same position that they occupied prior to 1890. But the province appealed to England and the hon. gentleman objects to that. It was not the government of Canada, whom he holds responsible, that appealed to the Privy Council; it was the people of Manitoba through their legislature, and that court decided that the judgment of the Supreme Court of Canada was not correct, that the law was *intra vires*. Then we have another appeal, resulting in a declaration that though the law passed by the legislature of Manitoba was *intra vires*, still the minority had a grievance, which should be redressed by this Parliament. When the Privy Council declared that the legislation of Manitoba was *intra vires*, that the law should not be interfered with, then the minority of Manitoba appealed under the provisions of the constitution to ascertain whether they had a grievance or not. The Supreme Court declared they had no grievance. If it had re-

mained there, and there had been no power to appeal to the Privy Council, then we should not have been troubled with this question, and I suppose that is what the hon. gentleman would like to have at the present moment, as it would relieve himself and his party of the same difficulty that presented itself to those who are governing the country. The Privy Council having decided that the grievance existed, then was the time for action to be taken and to carry out the ideas that were advanced by the Right Honourable Sir John Macdonald to which my hon. friend has referred. The hon. gentleman laid down this principle, that though the different courts of the Empire might give a decision upon an important question of this kind, whatever that decision might be, it did not divest the executive for the time being of the responsibility which attached to a responsible government. The moment that question came up, then the advisers of His Excellency in this country pursued the course that Sir John Macdonald indicated they should pursue, and that was to take action and endeavour to remedy the grievance which the highest court in the realm declared to exist. So that I cannot myself understand what logical deduction the hon. gentleman desires the Senate to draw from the position that he has taken, unless it be that the very moment the law was passed the Dominion government should have disallowed it at once.

Hon. Mr. SCOTT—They could refer it to the Supreme Court and they could disallow afterwards.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman says that we should have referred it to the Supreme Court at once. I do not so understand the law, neither do I so understand the duty of the government of the day. There is no reason why a question of that kind should be referred to the Supreme Court, until it reached there through the regular process. I was about entering into a history of this case, but I think the Senate understands it just as well as I do, and therefore I shall not pursue the argument that was suggested by the remark of the hon. gentleman. The government and the opposition I believe both agree upon this very important point, that the Dominion government should interfere as little as possible with provincial

autonomy; and it is only when the provincial governments infringe upon the rights of minorities, which are protected by the constitution, or when they exceed their power, that the Dominion government would be justified in interfering in any way. I lay that down as a broad proposition and believe that it is concurred in by most of those who have given the question the slightest attention. I desire to say that I object in toto to that remark which is constantly made by the hon. gentleman, and those who follow him in the country, as to "coercing" Manitoba. To prevent a province from exceeding its power and taking from a minority a right which they possess, and to ask the province, or compel them, to restore those rights under the constitution, is not coercion. If they are permitted to infringe in one particular, they may in another, and the very reason for placing the two different clauses in the constitution of the country was to prevent a province from exceeding the powers with which they are vested by that constitution, and it is not coercion to say to a man who trespasses on your land that he must cease trespassing at the earliest possible moment. Neither is it coercion to say to a province, "You have exceeded the powers vested in you by the constitution, and you must repeal that which you have done, or you must restore the rights which you had no right to take away from those who enjoyed them."

Hon. Mr. BOULTON—They have not exceeded their powers.

Hon. Sir MACKENZIE BOWELL—I am not going to discuss that question now; I am stating the general principle. Whether they have exceeded their powers or not, is a question which my hon. friend and myself can discuss when the matter comes before the Senate, with a view to restoring the rights which I believe have been taken from the minority, and having taken from them that which the constitution says they were entitled to by right, they acted in excess of their powers. I have no desire to discuss this question longer. I agree with my hon. friend, however, and most sincerely, that it is very unfortunate that questions of this kind, which appeal to the prejudices rather than to the good judgment of the people, should be brought within the purview of the Dominion legislation or Dominion politics,

but, upon those who have thrown it before us must be the responsibility and it is upon the party which the hon. gentleman so ably leads in this House that the responsibility must rest.

Hon. Mr. SCOTT—Oh, no; The Manitoba government are not our party.

Hon. Sir MACKENZIE BOWELL.—It is not the hon. gentleman's fault, I admit.

Hon. Mr. SCOTT—I have never hesitated to lash the Manitoba government whenever I have had the opportunity. I think they are the ones who are responsible for the trouble. I have never hesitated to say so.

Hon. Sir MACKENZIE BOWELL—True, they have the honour, if it is an honour, to belong to the party of which my hon. friend is so distinguished a member. With my hon. friend's remarks, so far as I could hear them, in reference to the fast line of steamers and to the Pacific cable, I heartily agree. The time has come when Canada cannot afford to be behind any other country in the development of its trade and commerce. Cable communication between Canada and the outside world is absolutely necessary to the proper success of any commercial enterprise. There is an old adage that trade follows the flag, but to-day trade not only follows the flag, but its success demands that there should be cable communication between the producing and consuming portions of the world. Otherwise, commercial enterprise cannot be successful. I could give illustrations of this if it were necessary. I lay down the broad principle that such is the fact, and if Canada desires to keep pace with the rest of the world, she must have the means, not only of reaching the different markets wherever they may be, but also the means of instantaneous communication with all parts of the world in order to take advantage of the markets as they may exist. I very much regretted to hear my hon. friend's remarks with reference to placing the militia force in a better state of efficiency than it is to-day.

Hon. Mr. SCOTT—I did not refer to the militia; I referred to the defences.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman spoke of the paragraph

in His Excellency's speech and regretted that it was there, and then inferred that it meant the building of fortifications along our frontier.

Hon. Mr. SCOTT—"Strengthen our defences," is the term used.

Hon. Sir MACKENZIE BOWELL—That is the line of argument that the hon. gentleman used—he regretted that the paragraph was there, and then said if it meant erecting fortifications or strengthening the defences along the frontier, it was to be deprecated as a great mistake. I agree with the hon. gentleman that it is desirable that peace should prevail between the United States and Canada. I agree with him that considering the relations between England and the United States—considering that they are of the same races and that the commercial intercourse between them is so vast and so valuable, that war between the two nations is almost impossible. But while I admit that fact, there is no reason why we should not keep our forces in as efficient a state as the finances of the country will justify. I am glad to know that there is a spirit not only of patriotism but of rivalry in patriotism among the young men of the rising generation in this country. The older the country becomes, and the more important the position that it occupies among the nations of the world, the more patriotic will our young men become, and the best evidence of it to-day is the fact that we have thousands of offers from Canadians in all parts of the United States to return to Canada should their services be required to fight in defence of the old flag. I agree with my hon. friend in believing that the fortifications at Esquimalt should be strengthened, because they would be a protection to the Pacific coast of the Dominion if we had difficulties with the United States, and would be of much greater importance in case of war between England and Russia or any other of the nations of the world. The intention of the government, I may say, is not to expend large sums of money in building fortifications along the frontier. The old system of fortifications, as the hon. gentleman well knows, would not be suited to modern warfare. The intention is to place our militia in as efficient a condition as is consistent with our means, by supplying them with the very best arms produced

in Great Britain. That is really what is meant in the paragraph in the Speech from the Throne. I might go further; our militia has not been enrolled for a good many years on account of the expense attending the enrollment of the forces. I do not pledge myself to this, but it may be just possible that enrollment will take place, not for any warlike purposes, but in order to ascertain what our strength is, as defined in the Militia Act. Should difficulties, internal, or external, arise, the country should be in a position to know the numerical strength of the militia, and what they could do to defend the Dominion. I believe I am expressing the feeling of the people of this country of all parties, with very few exceptions, my hon. friend among them, but I should be very sorry to suppose that the body of the party which my hon. friend leads here hold sentiments in accord with his own, and I hope that in this instance, as on the Manitoba school question, and one or two other matters, he speaks for himself solely and not for his party.

Hon Mr. SCOTT—I spoke only of fortifications; I made no reference whatever to the militia.

Hon. Sir MACKENZIE BOWELL—It is a part of the defence. First of all we had a regret that there was any reference to it in the Speech. Then we had a hope expressed that there were to be no fortifications. I should be glad to have fortifications every 10 miles if we had the money to build them. They certainly could do no harm. We will do the next best thing—make the militia as good as we can, and then, if necessary, we will expend money on strengthening the fortifications, but I hope there will be no necessity for anything of the kind. I concur fully in the hon. gentleman's remarks with reference to His Excellency the Governor General and the very great interest which he takes in making himself thoroughly acquainted with the resources of the country in more ways than one. He has given evidence of his sincerity in this particular by the fact of his investments to a very large amount, and it is gratifying to see the results which are following from those investments. It was my pleasure, during the past year, to visit the large estate which His Excellency holds in the Okanagan Valley in British Columbia. Though I had read of those British Columbian valleys, I had never visited

any of them before. I had been on the Pacific coast, but it had never been my pleasure to go into the interior, and I can only express my astonishment at the fertility of the soil in those sections which I visited. It convinces me that while British Columbia may be one of the most wealthy provinces in minerals and timber, it possesses also large areas of agricultural country not excelled on any part of this continent. His Excellency's farm gives further evidence of this fact that the soil is capable of producing to a marvellous extent almost all the fruits that are consumed by the human race, except those which are grown in the tropical and semi-tropical climates. British Columbia bids fair in the near future to be the home of a large population. If we had men who would invest their means there, as His Excellency has done, it would do much to induce the people in the overcrowded portions of the world to emigrate to Canada and settle where they would find not only a pleasant climate but homes where they could live in comfort and provide livelihoods for their families. I am very much pleased to know that my hon. friend has found so little to criticise. I feel quite certain that if it were not considered the bounden duty of the leader of the opposition to find some fault and do a little scolding—I will not say growling, because the hon. gentleman did it so pleasantly that no one could take exception to it—we should have heard no adverse comments. Let me hope that in the future he may have as little fault to find with the administration of the affairs of the country by a Conservative government as he has found to-day. We will go on and prosper—there is no doubt of that—unless unfortunately my hon. friend and his party should happen to cross the floor of this House and the destinies of the country should be placed in their hands, a contingency which I am sure he himself, upon mature reflection, would deeply regret. Let us join together in wishing happiness and prosperity to the people of this country. As long as it is governed as it has been during the last seventeen years, I have no doubt of the results which will follow, and my hon. friend and his sons will be proud to know that they are Canadians, more particularly when they reflect, as he has done, that a great many years ago conservatism was the very best possible policy on which we should govern the destinies of any country.

Hon. Mr. McINNES (B. C.)—We have all listened with great pleasure and interest to the very able speech which has been delivered by the Premier to-day. I am highly gratified to find that he has come out of his recent difficulties in such a vigorous condition. It is a matter for congratulation to this House and to the country. The hon. gentleman stated that he paid a visit to the Pacific province during last summer with the result that his ideas have been considerably enlarged, more particularly as to the agricultural and horticultural capacities of that distant province. I only wish that he and the other members of both houses of Parliament would visit that country oftener than they do, because it is only by making personal inspection of the enormous and varied resources of British Columbia that they can come here and intelligently legislate in the interests of the Dominion, and especially of that portion of it on the Pacific slope. I am very pleased that the hon. Premier visited our province last summer, and I hope if spared he will repeat his visit when he will have the honour of occupying a seat to the left of Mr. Speaker, which I hope will be in a few months hence. I must say I take decided exception to some of his remarks with respect to one of the paragraphs of the Speech from the Throne, in which he criticises the leader of the opposition rather severely. The paragraph that he referred to is as follows:—

Your attention will be asked to measures intended to provide for the better arming of our militia and the strengthening of Canadian defences.

I quite agree with what has fallen from the leader of the opposition. I think it would be utter folly—worse than madness—to erect fortifications at places other than points on the sea-coast. If fortifications were built every ten miles along the line of the international boundary, as the Premier has mentioned, it would be a source of danger instead of a source of safety to the Dominion. It would only cause irritation in the minds of those jingoes who, unfortunately, are so numerous, and who air their views so persistently through the press of the United States. So far as fortifications at points like Victoria and Halifax are concerned, I am in full accord with what he has stated, but there is another aspect of this matter to which I desire to direct his attention. I believe I am correct in saying

that we have about 35,000 militiamen in Canada. Each militiaman is supplied with 20 rounds of ammunition per year for the purpose of practice, but I am credibly informed that in the vast majority of cases it is optional, whether or not the men take even that limited amount of rifle practice. I believe that is a great mistake. Instead of increasing the militia, it would be very much better, indeed, if the force were reduced one-half and each man were required to fire at least 200 rounds of ammunition annually under the direction of a trained instructor. We have probably as fine a body of militiamen in Canada, in point of intelligence and powers of endurance, as can be found anywhere in the world, but I regret to say that some of them scarcely know enough about a rifle to load and discharge it properly. I know what I am saying on this point, and I know that in some of our militia companies this is the actual fact. It is not the fault of the men. It is the fault of the government that they have not been placed under proper instructors. Too much attention is paid to drill and making a fine appearance. I like to see a well trained body of men, but if Canada should ever again be called on to put down an internal insurrection, as was the case in the North-west some years ago, or to repel a foreign invasion, it would not be drill but marksmanship that would count. In proof of this, I would refer to the war which took place in South Africa some years ago. It was there found that the best English soldiers were not able to cope successfully with the experienced riflemen of the country. The Boers were poorly drilled, but every man was a marksman. The insurrection in Cuba is another illustration; the trained Spanish soldiers find that they are unable to compete successfully with the native insurgents. It is not discipline but marksmanship that would be required in our militia force in the unfortunate event of an outbreak of war. I firmly believe that if you were to select 2,000 or 3,000 of the best shots out of our 35,000 militiamen and pit them in a rough and tumble contest such as would naturally arise in a country of this kind, against the remaining 30,000 who were not trained marksmen, the smaller force would exterminate the larger, in spite of the disproportion of numbers. I sincerely hope that whatever improvements may be made in connection with the militia force the government will turn their attention in the

direction that I have indicated. I quite agree that it would be a good thing to adopt the Lee-Metford rifle, or whatever may be the most improved arm, but it is equally important that the men should be trained to use the weapon in the most effective way. To take green unpractised militiamen and place them on the battle field in competition with men equally well drilled and more effectively armed, would be cruel and wicked—it would be almost manslaughter. I pass from this subject to that of the maintenance of the Mounted Police force in the North-west. I understand that the force has been reduced from 1,000 to 800 men. That is a step in the right direction, and I hope that the government will in a very short time reduce the number still further, say to 400 or 500, because I think that number would be quite ample to maintain peace and order in the Territories. I am not finding fault with the government in this connection. They have already reduced the force, and I hope they will continue to do so as they find that the maintenance of peace and safety in that portion of the Dominion will permit. In regard to the paragraph which relates to the development going on in British Columbia, more particularly in the mining regions, I may say that I am very much pleased to find that what I stated on the floor of the House some years ago is receiving attention. At that time I urged upon the government the necessity of establishing mints to enable us to coin our own money, pointing out that Canada has produced within the last 25 or 30 years over \$65,000,000 of gold, which has all been shipped out of the country and coined either in the United States or Great Britain. On that occasion I predicted that British Columbia in the near future would become one of the greatest silver producing countries in the world. A great many hon. gentlemen thought at the time that I was drawing largely upon my imagination, but I am happy to be able to say now that during the last year over \$750,000 of gold and nearly \$2,500,000 of silver has been taken out of the province. In all probability the annual output of silver alone will shortly amount to from \$7,000,000 to \$10,000,000, because most of these mines are just now beginning to be developed. Many of them are only beginning to ship ore, but that ore yields from one hundred to six and seven hundred ounces to the ton. I hope that the

hon. Premier will make a note of what I mentioned a few years ago—I do not think he was Premier at the time; my recollection is that the House was led by the late Sir John Abbott—I hope he will take into consideration the suggestion that I then made, and that he will in the near future establish a mint in Canada. It is too bad that a country producing the precious metals in such large quantities should have to depend for its gold coin upon the United States. The gold coins of that country are legal tender in Canada, and occasionally we get a few sovereigns from the mother country, but they are shipped back again as quickly as possible. Our silver, even, is minted in England, and the Deputy Minister of Finance nearly every year boasts that they make almost enough on the silver coinage to pay the running expenses of his department—that is to say, from \$48,000 to \$54,000 a year. Even our copper coin is manufactured by a firm in Manchester, if I am rightly informed. Now that condition of affairs ought not to exist. Let us have a mint without further delay. The cost would be a mere trifle. There is no place where that mint could be established to such great advantage as in the province where the great bulk of the precious metals is produced. British Columbia is the only province of the Dominion in which a mint was ever established. About thirty years ago, before it was made a part of the Dominion, we had a mint, and a few dozen ten and twenty dollar pieces were struck off.

Hon. Mr. BOULTON—I cannot allow this debate to close without making a few remarks upon the questions that are brought before us by the Speech from the Throne. Before commencing those remarks I desire to express my great sympathy with the families of the two Senators who have been lately removed from our midst, Hon. Messieurs Murphy and Kaulbach. Senator Kaulbach's death took place under the most tragic circumstances. He was one of the most familiar figures in the Senate, one of the ablest men in debate that the Senate has had for some years, and I think we sustained a very great loss indeed in his untimely removal. An experience of 27 years in the legislation of parliament, backed up by a political training, his loss to the country may be considered a national loss. Senator

Murphy had not been so long a member of this House, but he enjoyed the respect of all for his kindly nature. I may congratulate the government upon having made the appointments to the Senate which have recently been gazetted. I also congratulate the mover and seconder of the address on the loyal sentiments which they have expressed in their professions of adherence to the national policy as heretofore upheld by the Liberal-Conservative party. Hon. gentlemen know that for some years I have dissented from that policy, that I have thought it my duty to rise in my place on every proper occasion, and explain why I have been obliged to dissent from it. I do this in order that I may be able to assist in some degree in the work of education which is always being carried on and which is always necessary with regard to political questions. We are all the time growing, and we should be all the time learning. The world is advancing and we must advance with it, and for that reason change is absolutely necessary. His Excellency has referred in his speech to the bountiful harvest of last year. We are all thankful for that harvest, and I believe that all over the Dominion it has been a good one. With us in Manitoba and the North-west it has been so, and I am glad to be able to endorse the observations made in the speech in this connection. We produced in Manitoba this year 63,000,000 bushels of grain of all sorts, wheat, oats and barley. Our two great staples are wheat and oats, and of these we have never before produced so largely. We have exported 50,000 head of cattle, 8,000 hogs, 15,000 sheep, and 4,000 horses. That is the results of the past season's operations in Manitoba and the North-west.

Hon. Mr. OGILVIE—Under the national policy.

Hon. Mr. BOULTON.—My hon. friend from Montreal who has so much to do with the province of Manitoba as one of our largest grain buyers, says that this is under the national policy. I do not think that the blessings of the harvest are to be attributed to that policy. If Providence were consulted, I scarcely think we would find that the blessing resulted from it. Providence has given us a grand crop: the national policy is taking away the profits of that crop, or trying to take it away from us,

under the guise of protection. It will be sufficient to tell hon. gentlemen that for these grand crops which Providence bestowed upon us we are now only able to realize 11 cents a bushel for oats and from thirty-six to thirty-eight cents a bushel for wheat of the best grade. This makes it plain, I think, that the bounties of Providence are largely discounted by the causes which operate to reduce the prices. We are selling a portion of our wheat—what we call feed wheat touched by the frost—at as low a price as 16 and 18 cents a bushel, and when the hon. member for Montreal reflects that the Canadian farmers have to work the whole year round to produce that crop, and that they can only obtain a return for their labour of 11 cents for a bushel of oats, which must cost at least five cents to thresh, he will, I think, admit that the bounties of Providence cannot properly be attributed to the national policy, so far as providing for us a consuming market and reasonable rates to market it. The national policy adds to the cost of every article that is necessary for the production of that grain, and of every article necessary for the maintenance of the population. Reduce the cost of living, reduce the cost of the necessities of life for our farmers, and you will at once ameliorate the condition of the people of the province of Manitoba in a very great degree. So much for the bounties of Providence so far as they apply to the national policy. “We rejoice that His Excellency is able to congratulate us upon the evidences of increased activity in the various branches of commerce and industry.” I would like to ask the hon. Premier what are the evidences that he refers to. The only evidences that we can have of that commercial prosperity are in the public returns. If he refers to them, I will quote them to show that he is not correct when he puts those words in His Excellency's mouth. If he refers to the by-elections which have just been held, where the feeling of the people has been tested in various parts, I say, hon. gentlemen, the leader of the government is quite mistaken when he puts those words into the mouth of His Excellency. The evidences that he speaks of are the evidences he saw in the distant province of British Columbia. He does not speak of what he sees around him here, but he speaks of what he saw in British Columbia, where large and valuable

mines are being developed, where the products of the country are being developed by the investment of large capital, and the exports of these are being added to the exports of the country. Now, hon. gentlemen, those are the evidences that he has told us have presented themselves to him, but I wish to present to him the evidence of the by-elections. The Government has appealed to the country through the by-elections in several places, with what result? The result in North Ontario was a victory in favour of the government, but opposed to the government were two candidates, one Patron of Industry, and the other a member of the Liberal party, both advocating identically the same policy—a reform in the tariff differing only in degree—and together they had a majority in the plurality of votes. In addition to that, although the government candidate got a majority in North Ontario of 747 over the next highest this majority was obtained from five towns out of 36 polling places. Thirty-one polling places declared against the government collectively, while five towns that received the greatest presumed benefits from the national policy gave the majority, which majority alone returned the government candidate in opposition to the two who were dividing the vote against them. Now, hon. gentlemen, those are the evidences of one by-election that the national policy was only sustained by five towns out of thirty-six districts, in which the electors had the opportunity of recording their votes. Is that an evidence that the people are satisfied? Is that an evidence that the agriculturists of the country are satisfied? I say, hon. gentlemen, that it is expressed in the morning *Citizen* to-day: the heading is as follows “What do we see of North Ontario”? “The patrons awake.” Will give the electors of North Ontario another whirl.” “Mr. Anderson, of Simcoe, in a powerful address depicted the situation of the country politically, socially and commercially. His statement that any change the country makes in its rulers must surely be for the better, as it could not possibly be for the worse, was cheered to the echo.” Now there is an evidence from the interior of the country, from the constituency of North Ontario, that the people in the country are opposed to the national policy but the people in the five towns who received the direct benefit of the establishment of manufactories

supported it. Can the government carry on the business of the country by the support obtained under such conditions as that? They cannot do so successfully under conditions of that kind. What are the other by-elections? In Cardwell where the whole strength of the government was brought to bear, the issue largely turned on the school question, I believe, and the government were defeated. Then we come to the province of Quebec, where two elections were held, one in Montreal and the other in Jacques Cartier. What was the result? The government candidates were defeated by large majorities. Now I have looked upon the defeat of the government in Montreal simply as a defeat of the national policy. I do not see that there is any other reason that can be given for that defeat. It is the disappointment of the merchant princes of Montreal with the effect of the national policy, reducing the imports last year by \$12,000,000. Montreal is the great entry port for Canada and the imports of the country. The effect of the national policy in the last year has been to decrease the imports by \$12,000,000. If that is not enough to cause people to stand and consider what has been the effect of the commercial policy of the country upon themselves they can find out, and in no other way more effectually than by realizing the loss resulting from that reduction of imports. Not only that, but the merchant princes of Montreal, instead of being permitted to import and conduct the business they have hitherto enjoyed, find that in consequence of the heavy duties from abroad, they are dictated to by the manufacturers, not only as to what they shall sell, but the terms and conditions on which they shall sell them; or as they legitimately complain, “the manufacturers not only say what kind of business we shall conduct, but the manner in which we shall conduct it as well.” That is the result of monopoly; that is the result of the national policy. That is the effect which has been produced upon names of the large merchants of Montreal in the management of their business. It is easy to see that where competition is closed out the manufacturers can go to merchants and say: “You will sell those goods on such and such terms, or we will establish a wholesale house and close you out altogether.” Now that is the condition in which they found themselves placed, and that is one of the moving principles which

actuated a large proportion of the English vote in Montreal Centre to oppose the government. The hon. gentleman may smile, but every one is at liberty to put such interpretation upon matters of that kind as he thinks will be correct. You may think the election turned on the school question. But I say, hon. gentleman, although the government have come down and have guaranteed that they will put remedial legislation upon the statute book and coerce Manitoba on educational matters—notwithstanding the fact that the action of Manitoba is regarded as a grievance in the province of Quebec, the two constituencies, Jacques Cartier and Montreal Centre, have turned against the government. Can the government say that they are heart and soul with the principle of coercing Manitoba? I say they cannot in the face of two elections of that kind, where the whole power of the government was brought to bear to convince the people not only of the success of the national policy, but also of the soundness of their school policy. In one constituency I believe there was a complete turn over of seven hundred votes. Then, again, we had a by-election only yesterday in West Huron, and the government candidate was again defeated. Out in British Columbia, a Cabinet Minister, who has just been appointed for the first time, returns to his constituency for re-election. The vote for the man who opposed him in the former election was 400, and he did not save his deposit; this time, however, that same man obtained 1,500 votes. Colonel Prior, in the former election, had secured a majority of 600, to-day, with all the prestige of the position of a Cabinet Minister, with all the pleasure it should have afforded the population of British Columbia to have a representative in the Cabinet, the city of Victoria itself gave a majority against that Cabinet Minister. These are the evidences which were before the public when the hon. leader of the House put into His Excellency's mouth the reasons why the national policy should be sustained. We hear the strongest expression from one of the leaders of the Patrons of Industry with regard to it. We hear the evidence that is given to us through the by-elections with regard to it, and there is nothing to justify the government in saying that the evidences of prosperity abounded; because while the bountiful harvest, thank God, existed to a large

extent, yet the commercial condition of the country is such that it is no matter of congratulation on the part of the government. It would be far better if the government had realized that the national policy had served its purpose, and that the time had come when a modification of that policy should have been made, but the government have determined upon fighting the battle all along the line on the basis of the old national policy; protection to the hilt is to be the cry. Sir Charles Tupper has been brought from England, and imported into the government for the purpose of assisting them to maintain that protection, and the fact that the hon. leader of the House has put this paragraph in the speech of His Excellency is no justification, so far as the evidences that I have brought before you are concerned. The other indications, which are the only evidences the public have to go by, are the public returns. What do we find in the public returns in regard to the trade of the country? The hon. mover of the address has told us of the increase in our trade with the world, without studying the returns to ascertain that the trade of the world is not being brought to the doors of Canada. The public returns show us that the revenue of the country has decreased.

It being six o'clock, I move the adjournment of the debate.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, January 16th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

Bill (A) "An Act to amend the Railway Act."—(Hon. Mr. McCallum.)

THE ADDRESS.

DEBATE CONTINUED.

The Order of the Day being called—

Resuming the adjourned Debate on the consideration of His Excellency the Governor General's

Speech, on the opening of the Sixth Session of the Seventh Parliament.

Hon. Mr. BOULTON—In my concluding remarks last night I was dealing with the evidences which the hon. leader of this House said had been brought to his notice to justify the paragraph in the Speech from the Throne, "I congratulate you upon the evidence of increased activity in the various branches of commerce and industry." To find indications of this, he had to go all the way across the continent to the Rocky Mountains, where rich mines are being developed and large capital is being invested. He did not furnish any evidence from the centres of population in the eastern provinces. I desire to give the evidence which is to be found in the public returns, the only information that a public man can deal with before Parliament or on the platform. We cannot take the prosperity of any particular individual, or of any particular locality, as evidence of prosperity throughout the whole country, for which we are responsible, as far as legislation is concerned. We have to deal with the country as a whole, and the only way we can do so is to take the public returns that are brought down from year to year, showing the commercial condition of the country from the Atlantic to the Pacific. It is utterly impossible for any one, without those returns, to know the exact condition under which we live, and therefore, in dealing with a question of this kind in a statesmanlike manner, it is necessary to take the public returns in order to furnish a justification for the position we may individually take. I cited yesterday the evidence furnished in the by-elections as to the state of public opinion as far as those elections could show it. I now take up the public returns. I showed yesterday that the revenue had fallen, that the debt had increased \$10,000,000, while the assets had only increased \$3,000,000, leaving a net increase in the debt of \$7,000,000. The exports had fallen off \$4,000,000 and the imports had fallen off \$12,000,000. Now, why have our exports fallen off? Why have the exports of this great country—I was going to say this unoccupied country, because it is practically unoccupied, when only half of the North American continent contains only 5,000,000 of people—why have our exports fallen off? Our exports of agricultural products decreased last year \$8,000,000.

Is it because we have not fertile soil, great extent of territory, or intelligence and industry in our population? Agriculture is the backbone of the county, yet we find the decrease in agricultural product was \$8,000,000. There was a decrease of \$1,500,000 in the products of our forests and a decrease of \$500,000 in the products of our fisheries. On the other hand, there was an increase in the exports of our mines of \$1,250,000, an increase in the exports of animals of \$2,500,000, and an increase in the exports of manufactures of \$500,000. That is the condition of the exporting power of the country to-day. There is a corresponding, or rather more than a corresponding diminution in our imports. While our exports have fallen off to the extent of \$4,000,000, our imports have fallen off \$12,000,000.

Hon. Mr. McCALLUM—That is a good thing for the country.

Hon. Mr. BOULTON—My hon. friend says that is a good thing for the country. I suppose it is necessary to repeat and repeat until we get the hon. gentleman to understand that he is wrong in his premises. The imports represent the payment that we get for our exports. That is the only pay that comes back to the country. It does not come back in bullion—it comes back in no other form whatever, and when we export four millions of dollars less and import twelve million dollars less, it shows a diminution of the purchasing power of the country, and a diminution of the productive power.

Hon. Mr. McCALLUM—If we do not import the goods we have the money. We get it in some shape.

Hon. Mr. BOULTON—The only way foreign nations pay us is in the imports which come back. The imports and the exports balance one another in proportion to our purchasing and productive power, and the balance is regulated by exchange. We will draw upon England to pay for our cattle, and England will draw upon us for the imports she returns. There is generally a balance which is paid annually and rectifies the balance by a small interchange of bullion, which is shown in the public returns. Sometimes it is \$2,000,000, and sometimes it is \$3,000,000. This is put down on the one side as exports, and on the

other side as imports. I mention that to show you that it is incontrovertible, that the pay we get for our exports is represented by our imports, and when our imports have decreased to the extent of \$12,000,000, it means that the purchasing power of the people has been reduced to that extent. It means that our exports of grain, cattle, flour, or anything else, have been absorbed in foreign markets, to pay the interest upon investments which have been made in this country, or upon money we have borrowed.

Hon. Mr. McCALLUM—Can we not manufacture in this country, and, consequently, import less?

Hon. Mr. FERGUSON—Does it not also mean we buy our goods cheaper?

Hon. Mr. BOULTON—You mean that the goods come to us at a less price?

Hon. Mr. FERGUSON—Yes.

Hon. Mr. BOULTON—No, sir, the evidence is the other way. If we export \$100 worth of cattle from Montreal it goes out of Montreal at a cost of \$60. That is the return to the farmer and it is sold on the other side for \$100. We have a credit in England for \$100 to draw from. That \$100 comes back to us in goods for distribution among the various interests engaged in producing and placing those commodities in the consuming market.

Hon. Mr. FERGUSON—But we are able to buy the goods now for \$80?

Hon. Mr. BOULTON—You cannot buy them for \$80; protection says no, and 30 to 40 per cent is added to the cost of the return cargo.

Hon. Mr. FERGUSON—Yes, we get the goods cheaper.

Hon. Mr. BOULTON—That cheapness applies to the world. We have a credit of \$100 to draw from for the animal we export, and that \$100 is paid for by a redraft of the English merchant to pay for the goods we import.

Hon. Sir MACKENZIE BOWELL—Suppose you did not buy the goods?

Hon. Mr. BOULTON—Then you would not sell the animal.

Some hon. MEMBERS—Oh, no, no.

Hon. Mr. BOULTON—You cannot sell without you buy.

Some hon. MEMBERS—Oh, oh.

Hon. Mr. BOULTON—That is what you have got to learn. You cannot sell without you buy. It is an utter impossibility. The protective policy puts a limit upon our ability to purchase, and to the extent that it does so it limits our ability to sell abroad. That is the way the trade of the world is conducted. The international trade of Great Britain is carried on entirely by exports and imports. There is only six per cent about of interchange of bullion; however, that is an economic question that has to be studied out and has to be realized. The public returns show us year by year that our imports and our exports balance one another. I will read to the House what I find in this book of returns:

The excess of imports over exports since confederation has been \$524,000,000; the average excess of imports over exports, \$18,000,000 annually.

The yearly average of excess of imports over exports is \$18,000,000.

Hon. Mr. McCALLUM—There is a balance this year in our favour.

Hon. Mr. BOULTON—No, that is a balance since confederation. This year it is altogether the other way. We have exported more than we have imported.

Hon. Mr. McCALLUM—So much the better.

Hon. Mr. BOULTON—Oh, no. The exports have been absorbed to pay the interest on the public indebtedness and the private indebtedness, and the municipal indebtedness, and the public losses that have been made. The exports have been absorbed in order to pay for all that. There is no other contention and you cannot prove it in any other way. That money has to be remitted, the \$10,000,000 interest set down in the public accounts—it has to be remitted to our creditors.

Hon. Mr. McCALLUM—The hon. gentleman says the more we expend the better we are off. I say we should have a balance in our favour. If our exports are larger than our imports we are much better off. Everybody knows that in practical life. If our exports amount to more than our imports

we are so much better off; our imports are not as large as they used to be because we do a large manufacturing business.

Hon. Mr. BOULTON—The hon. gentleman will have an opportunity of speaking upon this question and I do not know that it is possible to make a speech or to explain the position I am taking unless I am allowed to follow out the line I am adopting.

Hon. Mr. McCALLUM—I did not wish to interrupt the hon. gentleman, but he allowed me to do so.

Hon. Mr. BOULTON—I wish to say, at any rate, that the commercial condition of the country, as given to us through the public accounts, is not such evidence as we should expect of commercial prosperity in the country, and it is a great deal better that gentlemen should open their eyes and their minds to the reception of evidence that will lead them to take a proper position before the people of the country, rather than blind themselves to the facts. If you blind yourself with the facts against you, the people will lose confidence in your judgment and the policy you are advocating. We have now arrived at the termination of seventeen years of commercial life with the national policy. We have now to deal with it as shown in the public returns at the end of that seventeen years. Our exports have fallen off; our imports have fallen off, and if the exports have fallen, the people must be poorer.

Hon. Mr. McMILLAN—As to quantity or value?

Hon. Mr. BOULTON—As to both. Here are the public returns. Any gentleman can look at them for himself and can see the prices have not fallen. The price for flour in 1895 was \$2.19 and in 1894 it was \$2; the price of wheat was about the same. Of course you cannot tell exactly about the price of wheat, because it may be an inferior quality in some cases. But the value in animals has increased. The oxen and bulls that went into England in 1891 by the public returns show that they averaged \$2 a head more in 1895 than in 1894, that argument that there is a depression in prices has no existence in the present returns. In the last two or three years there has been very little in the varia-

tion of the value of any produce that poured into the British market, and therefore it is evidenced that there is a want of prosperity on the part of the agricultural people of the country when we have to come down and say that there has been that falling off in the exports of our agricultural products. I think it is a great deal better to open your eyes to the fact and try to ascertain what is the cause. Why is it that that is the case? I contend that that is the case because the conditions under which our farmers have to live under the national policy are such that it is not profitable to grow to the same extent that we were able to do before, because when hon. gentlemen come to talk about our exporting power, they must realize that in 1878 we had not the North-west Territories opened up. Seventeen years ago, when the national policy was imposed there was no North-west and no Manitoba, so far as our exporting power was concerned. Those sections of the country could not be developed until the building of the Canadian Pacific Railway, and you have to take into consideration the enormous increase that has taken place in our exporting power when you realize that vast territory which has been brought into existence, the province of British Columbia which has been brought into existence and the evidences that the hon. leader of the government says he sees of activity there. Take away that exporting power from Canada. Take away Manitoba, take away the North-west Territories, take away the province of British Columbia from the exporting power of Canada, and where would the older provinces be in their exporting power with which we can alone compare the conditions in 1878 or in 1882 or even a later date? They would be inevitably below what they are to-day, because, as I told the House yesterday, Manitoba exported this year 80,000 head of stock. We have grown 63,000,000 bushels of grain and all that has been added to the exporting power of Canada; notwithstanding the increase and notwithstanding the abundant harvest which His Excellency has told us, with perfect truth, has been given to us, notwithstanding this great increase of exporting power, we have to confess and realize through the public returns that there is a depression in the exporting power of the people of Canada to the extent of \$4,000,000, and a corresponding reduction in our importing power of \$12,000,000. Now, if

this is the condition we find ourselves in at the end of 17 years of the national policy what is the remedy? What are we to do? Is it a stationary period or is it a transitory period? That is what we have got to realize. I say it is a stationary period, that under the national policy we have arrived at that stage of its existence in which stagnation stares us in the face, as the public returns show. I will give you a few figures to show where the reduction of the exports of the country have taken place. In mining, there has been an increase of the exporting power of the country. That is largely due to the province of British Columbia. There is an increase in the export of lead and silver, and an increase in the export of asbestos. That is down in this part of the country; but the increase of mineral exports is chiefly from the province of British Columbia. Then we take the animals; there is an increase of half a million dollars in the export of horses. We exported this year, for the first time from the province of Manitoba and the North-west Territories, 4,000 horses. There has been an increase in the export of cattle amounting to three-quarters of a million. Last year we exported 35,000, and this year we exported 50,000 odd. There has been an increase of nearly a million dollars in the export of sheep. In the same way we export a proportion of that. There has been a decrease of one million dollars in the export of cheese. I do not know that the fall in price of this year existed prior to the closing of these returns. In the export of bacon there has been an increase of three quarters of a million dollars, in beef of a quarter of a million dollars, but in the export of canned meats, there has been a decrease of nearly half a million dollars. This is all information that is valuable for us to know. There has been an increase in the export of wool—it is the first time we have exported any. There has been an increase of one million dollars in the export of apples and an increase in the export of barley and beans, and there has been a decrease in the export of Indian corn, oats, pease, wheat, flour, oatmeal and hay. There has been an increase in the export of agricultural implements amounting to \$200,000. Whether that is due to the change of policy in giving a rebate on all the exports or not, I cannot say. That is virtually the only increase in manufactures that has taken

place, excepting in whisky and sugar. There has been an increase in the export of sugar amounting to \$300,000, and of whisky \$150,000. I say the national policy has reached the limit where it could serve the country—we have reached the limit of progress and we have to fall back entirely on the consuming power of the people of Canada—five millions of people. Our power to export is shown to be utterly without foundation and is growing less and less every year. We instituted the national policy for the purpose of creating a home market—that is to say, for the purpose of increasing our population and thus providing a larger consuming population within reach of our farmers. That has not been realized, and it is not being realized. What is the condition of the market in Toronto? We watch the export prices quoted in the commercial returns in Montreal and Toronto, and we find that the prices for beef are, for export $3\frac{1}{2}c.$ and for local consumption $2\frac{1}{2}c.$ Where then is the market? Last week I met in this city some men who had brought in two wagon loads of beef in the carcass. They had driven them for 32 miles. I asked them what beef was worth, and they said they expected to get \$3 per hundred for hind quarters and \$2.50 for fore quarters.

Hon. Mr. CLEMOW—Where is that?

Hon. Mr. BOULTON—Here in Ottawa. I am only stating what I was told by the people who brought in the beef. Now, those were the prices which prevailed in 1878, before the national policy was adopted. At the end of seventeen years are we coming back to the prices which then existed? At any rate, these are the public quotations, showing the difference between the export value and the local value of animals. If it was not for free trade, England being able to consume all that the world can send of its surplus productions, there would be no value in our products at all, so far as the local market is concerned. It shows clearly that the national policy has failed to give us a local market for the surplus productions of the country. Now, how can that be bettered? My argument has always been, for the last four or five years, that it can be bettered by adopting free trade. Instead of limiting the manufacturing power of Canada to the demand of 5,000,000 of people, situated in

Canada under a protective tariff, which greatly increases the cost of everything they require for their own consumption, it is a great deal better to follow a different economic policy, and make the cost of manufacturing so cheap that you can go out into the markets of the world with your manufactures, and thus increase the consuming population, in the centres of Canada, immeasurably.

Hon. Mr. McMILLAN—Hear, hear.

Hon. Mr. BOULTON—The hon. gentleman throws a doubt on what I am saying, but we have the evidences before us. What has the economic policy of Great Britain done for the people of the mother country? Take the export of wool as one evidence of what it has accomplished. In Canada we have had woollen mills ever since I can remember. It is not for want of experience or capacity that we have not increased our woollen manufactures, yet we do not export one dollar's worth of woollen manufactures whereas Great Britain exports 175 millions of dollars worth.

Hon. Sir MACKENZIE BOWELL—You must mean woollen goods.

Hon. Mr. BOULTON—Wool and woollen goods. A portion of these figures covers manufactures of wool, and some of it passes through the country as raw material. The manufactures amount, I think, to about one hundred million dollars.

Hon. Sir MACKENZIE BOWELL—England is not a wool producing country.

Hon. Mr. BOULTON—I said woollen goods. They import wool from Australia and manufacture it into goods which are sent to the different markets of the world. That same wool is available to us in Canada here. We have the power to admit wool free—we have the power to manufacture it here and send our woollen goods to the markets of the world. We have the power to do precisely as Great Britain is doing. There is nothing to prevent it. There is that enormous demand in the markets of the world and Great Britain has been able to surpass all other nations in her ability to supply the markets with those commodities in consequence of the economic force of free

trade, by which the cost of producing goods is reduced to the lowest possible notch. Apply those economic conditions of free trade to Canadian life and manufactures, and you will produce precisely the same result. It is not for any want of intelligence, ability, industry or any of the conditions that prevail in England that we fail—the difficulty is that we are held down at the present moment by a selfish policy which creates monopoly and such a monopoly that it prevents any increase of the manufacturing of the country and reduces the exporting power of the country by increasing the cost of everything that is applied to our industries manufacturers have to limit production in self defense. Here we have the evidence of it in our public returns, so that it can not possibly be denied or gainsaid. The result of adopting free trade would be to give us the power within ourselves to share in the enormous trade that the people of Great Britain enjoy. Free trade has built them up and made them the envy of every nation of the world, has given them their wealth and has enabled them to create the most powerful navy and take the proudest position among the nations of the world. It has enabled them to extend Christian civilization by extending their commerce, and not, as a member of this Cabinet said, by slaying savage tribes and heathen nations to find markets. By free trade they have extended their commerce, and through that they are carrying civilization to every part of the globe. England opens up sections of Africa peopled with savage tribes who have no ability, or industry, or ingenuity; she converts them into an industrious population, and in turn their demands bring back trade to her own people. Now we are a part of the British Empire; we enjoy all the advantages which accrue from her system of government and her extensive commerce. We have the same opportunities and advantages that England enjoys, and it is for us to take advantage of them, at the present moment, when we find ourselves brought face to face with a condition of affairs which was condemned prior to 1878. We find ourselves in a period when deficits are occurring, when the trade of the country is decreasing, when stagnation is staring us in the face and it would have been far wiser if the leader of the government had recognized what was coming, and had consented to modify his

commercial policy and follow in the footsteps of Great Britain, thus laying the foundation for an alliance with that great commercial policy that knows no superior, which has not failed in the slightest degree, which has gone on improving and increasing the prosperity of the country until the inhabitants of the British Isles have reached the proud position which they occupy to-day. As the Chancellor of the Exchequer said last month "Our revenue is £101,000,000, our surplus £5,000,000, and there is no nation in the world that raises such a revenue as that with so little burden of taxation on the people." Of that £101,000,000, none of it rests on the shoulders of labour, by the taxation on their necessities, and that is the secret of the economic power of the people of Great Britain. Labour is free from taxation, and in consequence her people compete with and undersell every nation of the world. The total value of imports into Great Britain last year was £379,000,000, an increase over the returns for 1894, and again over the returns for 1893, while Canada's imports as well as our exports have been decreasing during the same period. The exports of Great Britain in 1895 were £206,000,000 of home manufactures, and £54,000,000 of manufactures of foreign and colonial merchandise, showing an increase over the figures of 1894 and 1893. Consider that enormous exporting power of £270,000,000 sterling or \$1,350,000,000, of exports, and bear in mind that it does not include agricultural products, but is the exporting power generated by her manufacturing policy, importing raw materials from the markets of the world, manufacturing those imports into goods and shipping them out to the markets of the world again. We have the opportunity to share in that prosperity, thus increasing the consuming power of our manufacturing centres and creating a local market, not limited merely to the 5,000,000 of people now in the country, but a market which can consume all that we can produce. I am so thoroughly convinced of the ability of Canada and the Canadian people to engage in that trade and add to the prosperity of the whole Dominion, that I shall not fail to do my utmost to convince the public to adopt the free trade policy. Four years ago I was obliged to take an independent stand in this House, because I had ceased to be an advocate of protection. I had come to the

conclusion that protection was working evil, and what I have seen and learned during the last four years has more strongly convinced me that I was right in the stand that I had taken. The returns before us to-day show a decrease from year to year and furnish a justification of the course which I then pursued.

Hon. Mr. PRIMROSE—The hon. gentleman says that year by year there is a decrease. He would leave the impression on the minds of hon. members that there has been a steady decrease in the exports of the country. The public records show a different state of things, and the fact is that with the exception of the three years immediately prior to the present year, the exports of last year have been very much larger than at any time from 1868 onwards, and the imports last year have been less a good deal than in previous years.

Hon. Mr. BOULTON—I referred to the fact that in 1868, the year that he mentions, we had no North-west Territories or Manitoba or British Columbia.

Hon. Mr. PRIMROSE—From 1868 onwards, I said.

Hon. Mr. BOULTON—There was no Manitoba. That province has this year added largely to the exporting powers of Canada, and British Columbia has added some millions of dollars worth of coal, canned salmon and other products to the exports. None of that exporting power existed from 1868 to 1882—it did not commence until 1884 or 1885, so that I am right in saying that there has been a decrease from year to year.

Hon. Mr. PRIMROSE—The records of the country do not, to my mind, bear out the hon. gentleman's assertion. I did not confine my remarks exclusively to the year 1868, but starting with that year, down to the present time, with the exception of three years immediately preceding the present year, the exports of the country have been very much larger.

Hon. Mr. BOULTON—I can only read from the public returns. In 1895, the amount was \$105,000,000; in 1894, it was \$113,000,000, and in 1893, it was \$121,000,000. Would the hon. gentleman like

me to go back any further? This is the exportation of 5,000,000 of people—\$121,000,000 in 1893, \$113,000,000 in 1894, \$105,000,000 in 1895, and probably the figures will fall below \$100,000,000 before 1896. That is a proof of the statement I am making.

Hon. Mr. McCALLUM—The people are getting richer because they are able to keep the money in the country. The hon. gentleman avoids carefully the two columns, giving the gross trade.

Hon. Mr. PRIMROSE—You will find the information, I think, in the first two columns of the page you are looking at.

Hon. Mr. WOOD—The hon. gentleman, I think, is reading the importations and not the exportations.

Hon. Mr. BOULTON—Very well; I will read the exportations. For 1895, they were \$113,000,000; for 1894, \$117,000,000; for 1893, \$118,000,000.

Hon. Mr. PRIMROSE—Look at what is beyond that.

Hon. Mr. POWER—I rise to a question of order. I think the hon. gentleman from Shell River should be allowed to make his speech and the hon. gentlemen who differ from him can reply afterwards. These interruptions are highly irregular and unsatisfactory.

Hon. Mr. BOULTON—I shall be only too glad to give any information I can. Taking the total of the importations and exportations to which the hon. gentleman refers, I find that for 1895 the total trade of the country was \$224,000,000, for 1894 it was \$240,000,000, and for 1893, \$247,000,000.

Hon. Mr. PRIMROSE—I do not wish to interrupt unnecessarily, but I repeat that if the hon. gentleman will go back over the years immediately prior to those he has quoted—if he will look back as far as 1868—he will find that the exports for the last year are very much larger than formerly.

Hon. Mr. BOULTON—I do not think it necessary to go through the whole of the column. In 1892 the gross trade was

\$218,000,000. In 1890 it was \$218,000,000. Taking the past six years the present year is below the average of the whole.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman knows very well that in order to make a fair comparison he must state the value of the goods. A merchant may bring in this year as much as he imported last year, but the prices may be 25 per cent cheaper, so that the mere giving of figures is utterly valueless.

Hon. Mr. BOULTON—The hon. leader of the House was absent, I think, when I referred to that question. I claim that there was an increase this year over last in the value of our agriculture produce. Flour this year, according to the British returns, is \$2.20 per hundred weight, while last year it was only \$2.00. Cattle this year are \$2.00 per head higher than they were last year. That is according to the British returns, from which I have taken the trouble to extract these figures. The hon. gentleman can total them up for himself if he thinks fit. These are facts and figures which cannot be denied. The value of agricultural produce has not varied greatly in the last four years. It fell off somewhat but it reached its lowest limit some years ago. Neither has there been much variation in the price of these products; and when the farmers of the country show their inability to export agricultural products to the same amount as formerly, the falling off being equal to \$8 000,000, it certainly should convince those who are responsible for the government of the country that the time has come for a thorough inquiry into the whole matter. They should not put their *ipse dixit* upon it and proclaim that they are going to maintain the National Policy in the face of all conditions which may arise. They apparently do not take cognizance of what is contained in the published returns but take the stand that, because the protective policy was satisfactory at some time in the past, it must be continued. The government are apparently ignoring the evidence which is accumulating against that policy, although it was brought prominently before them during the by-elections. Hon. gentlemen may sneer at by-elections, but it is not wise to do so, because we are, after all, only the representatives of the people, and it is they who govern. If the government is not far-

sighted enough to see what is going on in the country at large, it must suffer the penalty. As individuals we can only judge of what is going on in our immediate vicinity, and to arrive at anything like a practical conclusion in regard to large questions of this kind we must judge by results.

Hon. Mr. McCALLUM—Are you judging by results?

Hon. Mr. BOULTON—Yes, by the results of the by-elections as well as by the published returns. They contain clear evidence as to what brought about the verdict which was given in the recent elections; and at this time, when the government is about to appeal to the country, I say it would be wise for them to dip deeper into the subject than they have apparently done, and see whether their policy has created the home market and the centres of population which it promised, and which were to be of such great value to the agricultural districts and to the industry of the country generally. They should carefully consider whether they could not adopt a commercial policy which would quadruple—yes multiply tenfold the population of our commercial centres, induce a greater increase to the productive power of our farms, the development of our mines and resources generally. I maintain that there is such a policy, and it is beyond dispute that the policy which I advocate is not now to be viewed purely as a theory, as it was at the time it was adopted by the people of Great Britain fifty years ago. That policy has since been demonstrated to be a most powerful factor in promoting economic progress. It has placed the people of Great Britain at the head of the commerce of the world and enables them to outbid all competitors, so that the necessity in Great Britain for a navy to protect the commerce has greatly intensified. In consequence of the foresight and intelligence and ability of her people as displayed in throwing off the monopoly that had wound itself about their commerce for so many years prior to the adoption of free trade, Great Britain now occupies the proudest position among the nations of the world. I claim that it is high time that we should make an effort to get rid of the monopolies in this country, and the people I believe are determined to throw them off. Those monopolies are holding our industrial workers

down and cramping their energies, subverting their moral power and retarding the progress of the country generally. We are proud always to say that Canada is capable of anything, that it is equipped with magnificent resources. We have only to develop them, but is it possible to do so unless you make the conditions such that the people of the country are placed in a position to develop them? Take, for instance, our exportation of stoves. I find that it amounts to but \$3,000 annually. How does that indicate the benefits of the national policy? It is conferring no benefit upon us in that connection, clearly, for it imposes a duty to raise the cost of stoves as far as we are concerned, without any corresponding compensation in the way of increasing our foreign trade. So we might run through the whole gamut. I understand that some parties are starting a smelting furnace in Hamilton. Under what conditions are they starting? Iron is protected to the extent of \$4 a ton, and there is, in addition to that, a bounty of \$2 from the Dominion Government and \$1 from the Ontario Government, so that this smelting furnace is commencing operations with a total bounty of \$7 per ton at its back. Why should the country be in such a position that it is necessary to offer such encouragement to an industry of this kind? It should be remembered that this iron will be cheapened to the manufacturer who uses it \$7.00 per ton. The Massey Manufacturing Company, which is manufacturing machines in competition with McCormack, of Chicago, for foreign trade, Massey pays forty per cent more for his iron than McCormack. McCormack gets his iron for \$9 a ton, and I think it is either 40 or 50 per cent that we levy on bar iron entering this country; and the government have found it necessary, in order to enable the Massey Manufacturing Co. to export their products, to give them a rebate in connection with these duties. This is to enable the company, by the aid of our money, to export to Russia and the Argentine Republic—nations which are competitors with Canada in the sale of agricultural produce—a cheaper machine than they can send to the farmers of the Canadian North-west. Is it any wonder that we are not able to produce? Is it any wonder that our agricultural products have fallen off \$8,000,000 in the year under conditions of that kind, when the only way we can get rid of our surplus products is to

send them to the markets of the world, and meet the competition of all those nations. Here we are taxing ourselves to enable the Massey Manufacturing Company to make machines cheaper for foreigners than they are allowed to sell them to us for. I do not think that our agricultural machine manufacturers will offer any strenuous opposition to a bona fide free trade policy. As long as we continue to pursue an opposite policy we may rest assured that we will go down hill. I am quite certain that a great change has come over the minds of the people of Canada in regard to this very question, and as I stated yesterday, there was abundant evidence of it in the recent elections.

Hon. Sir FRANK SMITH—It had nothing at all to do with it.

Hon. Mr. BOULTON—As I explained yesterday—perhaps the hon. gentleman was not in the House—the North Ontario election was carried against the government by a plurality of votes—by a majority of some 300 or 400. The government candidate was returned, because those who were advocating a reform in the tariff, had two candidates in the field.

Hon. Sir FRANK SMITH—Were there three candidates in Cardwell?

Hon. Mr. BOULTON—I do not think so.

Hon. Sir FRANK SMITH—Yes; there were.

Hon. Mr. BOULTON—No; I think the third man retired.

Hon. Sir FRANK SMITH—No; he lost his deposit. You make one point to suit yourself, and don't refer to the other at all.

Hon. Mr. BOULTON—The point I wish to make is that five towns out of thirty-six polling places gave a majority of 615. The majority for the government candidate was 747 over the next highest, but 615 of that majority was furnished by five towns in thirty-six polling places. That shows that thirty-one polling places out of thirty-six were severely feeling the oppression. And thirty-one polling places were dead against the candidate, not only in the plurality of votes, but against the government you may say with two opposition candidates in the field. That vote is the result of the fact

that the agricultural exports are falling off, and that farmers and country districts are feeling the effect of it, that they have not got the local market and have not got the prices, and when they come to purchase with the money they get from their produce, they have to pay greatly increased prices for everything they require. There is not a question, not a shadow of a doubt about it. The argument is used that everything is cheaper to-day than it was formerly. I admit that; but no matter whether it is cheaper to-day, it is increased in price to us at any rate from the competitive markets of the outside world, by the duty we impose at the boundary. If the duty was taken off and the trade of Canada thrown freely open to the world, we would very soon see then what the competitive trade would do for us in the reduction of prices from what they are to-day, and what we want to get down to is to be allowed to purchase whatever we require to carry on our industries, to carry on our affairs, to manufacture our goods and to do everything else at the very lowest possible cost, and then you will see the great port of Montreal, the city of Toronto, the towns in Canada, the agricultural districts and every part of Canada flourishing more and more. I told you yesterday how impossible it was for us in Manitoba to maintain ourselves and meet our liabilities. I do not mean to say that we cannot supply ourselves with food, because it is food we produce. But when we come to provide ourselves with other necessities, such as machinery, blankets, clothing and everything else, we cannot meet our liabilities as honourable men should with the prices we are receiving there. To-day, oats are eleven cents a bushel and feed wheat is selling as low as sixteen cents a bushel.

Hon. Sir FRANK SMITH—Where?

Hon. Mr. BOULTON—Our feed wheat all over the province. Unfortunately, any wheat which is much touched with frost is not merchantable wheat for flour and becomes feed wheat, from thirty to thirty-five per cent of our wheat is of that character. It is valuable for feed, but not for flour.

Hon. Sir FRANK SMITH—The government is to blame for that, I suppose?

Hon. Mr. BOULTON—No, I am not blaming the government for that, but I am

blaming the government for taxing the goods we have to buy with the money we get for wheat at that price.

Hon. Mr. POWER—Hear, hear.

Hon. Sir FRANK SMITH—Where will you get a revenue if you do not put on a tax?

Hon. Mr. BOULTON—It is easy to find a revenue. I quoted the remarks of the Chancellor of the Exchequer of Great Britain, a man whom I am quite satisfied, the hon. Senator will appreciate. He said "Our revenue is £101,000,000 under free trade. Our surplus is £5,000,000, and there is no nation in the world that has raised such a revenue as that with so little burden of taxation upon the people." Now then follow them, imitate their policy as closely as you can. Ally yourself with that policy. If that loyalty of which we boast, has any foundation in fact, I say it is a great deal wiser for us to adopt that policy, and not a policy which might possibly be enunciated when the change in the status of our present government takes place. Sir Charles Tupper has come over from England and taken a seat in the Government with the ostensible idea—at least the popular rumour gives it—that he will soon take the position of leader of the government. And what is his policy? If it is to form a protective policy for the Empire; that Canada and Australia and the other colonies shall be given a preference over foreign nations. That is the policy that Sir Charles Tupper has come out here for.

Hon. Mr. POWER—There is nothing about that in the address.

Hon. Mr. BOULTON—The election literature is already brought out, and we see a telegraph despatch from England in the *Ottawa Citizen* :—

A combination of the United States, Russia and the Argentine Republic might have cut off 70 per cent of Great Britain's food. From this the moral is being adduced that the Empire must feed itself.

In this connection the *St. James' Gazette* urges Mr. Chamberlain to call a conference, in which each colony may make its offer and submit its claim for recognition in our markets.

That is what I call election literature. It is very easy to get a cable of that kind from the old country. That has the appearance as if a new policy was being inaugurated in Great Britain. Our people should realize that the Marquis of Salisbury, the

Hon. Joseph Chamberlain, the Right Hon. Sir William Gladstone and every public man in England have all spoken upon that subject and told us plainly that it is impossible for the people of Great Britain ever to tax their food, that it would be fatal to their prosperity, and that it is irrevocably now the policy of Great Britain to maintain free trade and to put no taxation upon food. If that is not sufficient to convince the people of Canada that it was utterly futile for us to try and induce the people there to a protective policy. Our common sense should tell us that, when England has to import \$750,000,000 worth of food every year, to say nothing about the imports of cotton, wool, and raw material necessary for the manufacturers, it would upset their commercial position and destroy their trade if they should impose such a tax as hon. gentlemen suggest. I have opened my eyes to that fact. I believed at one time myself that the policy would be a good one, but I have now taken what I say is the common sense view, that it is an utter impossibility for England to undermine her commercial prosperity by taxation upon food. And is England going to make an enemy of the United States whose trade is so valuable, for the sake of benefitting us in Canada? Is England going to make an enemy of all the nations of the world, whose trade is so valuable to her for the sake of the colonies? I say England cannot afford to do that which would destroy her own commercial prosperity. And what is the condition? The condition is that we are to have a protective union in the British empire. That is to say, all the people of the British Empire should trade upon an equal basis, excluding the rest of the world. That is the condition that exists in the United States. They have 65,000,000 people in a very wealthy country, able to manufacture and produce almost everything they require; they have got free trade among themselves over an enormous territory; and what is their condition after many years of heavy protection? Last year they were obliged to open their market for the raw material; and if we could induce England to adopt such a policy, in 25 or 30 or 40 years time the same disastrous effects would be visible in the British empire as are visible in the United States to-day. It is an unwise policy to try and introduce that policy in Canada. It is unwise for us to

try and preach protection in England. If England is ever forced to protect herself in consequence of the hostility of other nations, it will be a protection for the benefit of her own people only; it will be a protection against us. If she puts a duty on wheat, that duty will be imposed against Canada as well as against the United States, and therefore it is not wise for us to try to change the people of England from the impregnable position they occupy to-day. We have these warnings held out in these statements, and we should take advice from them. And we have without any restraint of any description the power within ourselves, if we have the ability and strength to carry it out, to adopt the policy of free trade, and to share in the great prosperity in the efforts Great Britain is making for the extension of commerce through that economic policy, and then we would occupy a proud position, and see our consuming markets increased; then we would see the valuable free trade markets that can never be overflowed in England, maintained in Canada also. Whatever produce the world has to sell as its surplus is absorbed in England. And why? Because they have to pay nothing to get it in there, because the cheaper everything is brought down, the larger the consumption, the larger the number of people that are able to enjoy it, and it is that power that gives the British market that immense value. We send home our cattle. They cost here perhaps thirty or forty or fifty dollars each. When they arrive in England they are sold at \$100 a piece. That is the condition the farmer in England occupies, and if we were to adopt the same free trade policy we would increase the value of our own consuming market. I have done my utmost in the last four or five years to express these views, I have brought arguments to bear, and I have sought to impress the government of the day with these views. They are loyal and patriotic views and justified by the experience in Great Britain. They are sensible views. If the Conservative party will rush on to its ruin—what I call its ruin—before the people of Canada with the protective policy in full force I at any rate feel that I have done my best to stave off that result. I have announced over and over again that I have changed my views in regard to protection, and I must be unalterably opposed to its continuance, and am doing my utmost to sustain the posi-

tion that I have taken and to oppose to the utmost the continuance of the protective policy in Canada. It is with great regret that I am obliged to take that position. We are on the eve of a general election, and a man must take his stand somewhere. I have for four or five years been advocating this change, and occupied an independent position in the hope that the government would see its way to modify its policy; but the evidences are all the other way, that the country is to be carried *vi et armis* on the policy of protection. The evidences show that the people have changed their minds on the policy. What will follow it is impossible to say, but at any rate a change has come over them in consequence of the very facts and the very results that have appeared in these returns in the blue-books, and the effect of which the people themselves feel. The next question that the hon. leader of the opposition has stated as the *pièce de résistance*, is the Manitoba school question. Apparently, that is to come before the House, and it is not necessary for me to dwell at any great length on that subject. I have expressed my views upon the question, and have warned the government that the people of the province of Manitoba were opposed to anything like a coercive policy, and the elections that were held in the province of Manitoba yesterday, are a sufficient warning to the government not to go too far. The hon. gentleman may not agree with me, but, at any rate, it is wise to be guided by circumstances. You cannot impose upon any free-governed people, views that are opposed to theirs. We are enjoying, thank God, in Canada the principles of self-government, and it is our duty to strive to maintain them, not to undermine them, not to take a retrograde step in regard to those valuable principles; and it has been accorded to the province of Manitoba that they shall have the exclusive right to carry on the education of the people within the province.

Hon. Mr. McMILLAN—No.

Hon. Mr. BOULTON—Yes; that is the exclusive right, subject to an appeal to the Parliament of Canada if a minority is in any way aggrieved. Well, the extent of that grievance should be ascertained before any step is taken by the Parliament of Canada, especially so grave a step as to assume to invade the domain of provincial legislation.

I say that the grievance that that minority is suffering from is not such as to justify this Parliament in taking away the liberties of the province of Manitoba. I say it should be a matter of inquiry on the part of the government. I held that last year, and I say so now—that the extent and cause of the grievance should be ascertained; and the remedy should be applied, not by depriving the province of Manitoba of its constitutional liberty, but by some other means. The grievance is perhaps magnified in the minds of many. The School Act of Manitoba does not deprive the Roman Catholic minority there of the right to conduct their schools as they see fit. It does not interfere with them in any shape or form whatever.

Hon. Mr. McMILLAN—Has it not deprived them of rights or privileges which they had enjoyed?

Hon. Mr. BOULTON—No; none whatever.

Hon. Mr. McMILLAN—The Privy Council of England says it has.

Hon. Mr. BOULTON—I can only tell you that it has not deprived them of any right. The Act says you shall not get the public funds, unless you submit to the terms specified in the Act—unless you allow inspection to take place; unless you allow the examination of your teachers, and unless you comply with certain regulations, deemed by the provincial authorities to be necessary for the education of the people.

Hon. Mr. McMILLAN—Has it not confiscated their property?

Hon. Mr. BOULTON—No; not a dollar.

Hon. Mr. McMILLAN—Has not the School Act of 1890 confiscated the school property that belonged to the Roman Catholic minority of Manitoba? Does it not direct that the school taxes which were collected from the minority of Manitoba shall now go to the support of public schools?

Hon. Mr. BOULTON—No.

Hon. Mr. McMILLAN—Are they not deprived of rights they had prior to the passage of the Act?

Hon. Mr. BOULTON—No, you are wrong—it has not confiscated any property. The district remains identically the same,

Hon. Mr. McMILLAN—Who owns the property?

Hon. Mr. BOULTON—The school district is the same as it is here in the province of Ontario, and I presume in the province of Quebec. The school is there; if it comes under the School Act there are trustees appointed.

Hon. Mr. McMILLAN—The property owned by the Roman Catholics in the province of Ontario as school property belongs to themselves exclusively, and the property that belongs to the public schools belongs to them exclusively—they are quite separate.

Hon. Mr. BOULTON—I can only say, that, under our law, they can form a school district where that school is located, they can hire a teacher and they can enjoy the funds. The municipality is obliged to find them \$240 a year and the government \$130 a year, and there is the school for them. If you say that those three trustees formed under that Act in the school district occupy that school house and pay no rent for it, then, in that case, it is confiscated, but I do not understand that that is the position at all. These funds are forthcoming, to every district, whether it is Roman Catholic or not, and the powers of the trustees that govern the schools are virtually unlimited. It is not a sectarian school in any shape or form. You can read prayers or you need not read prayers. You can read the Bible or not; it is left to the trustees themselves to say what they shall do, and in that sense the schools are non-sectarian. The position of the minority in Manitoba has frequently been compared to the position of the Protestant minority in Quebec, but there is no parallel between them. The public schools in Quebec are Roman Catholic schools, in which their religion is part of their education; the public schools in Manitoba are non-sectarian schools, and the grievance is in that.

Hon. Mr. MASSON—Does not the hon. gentleman think that, in view of the announcement made by the government that they are to bring the school question up to be discussed, it is rather useless at the present moment to bring on a debate prematurely?

Does the hon. gentleman think it is in the interest of the country that we should go into this discussion now?

Hon. Mr. BOULTON—The debate on the address is one of the annual debates. It is the privilege of a member to enlarge the discussion as he sees fit, and there is no law against it. It is merely a matter of policy as the hon. gentleman said. I have no desire to impose my views at the present moment, if it is against the wish of the hon. gentlemen who take a different view, but I say there is nothing like warning the government in time. I say that it is unwise to impose upon a province that has so unmistakably shown its dislike to be coerced—it is not only inexpedient in the public interest but it is unwise in the interest of the people whom you are trying to befriend to attempt to put legislation on the statute-book that bears that character, and if I can express my views that will cause the government to hesitate before taking that step, I think now is the time to speak.

Hon. Sir FRANK SMITH—Would it not be better to wait until the bill is before us?

Hon. Mr. BOULTON—No, when everything is cut and dried I might speak for ten hours without, in the slightest degree, affecting the result.

Hon. Mr. MASSON—Does the hon. gentleman suppose that the government will, at this stage, withdraw the bill that they have promised? There is no use in warning the government; they are determined to bring down the bill, and all that the hon. gentleman has to say or can say cannot affect their position. It is not a very agreeable subject to discuss.

Hon. Mr. DEVER—The hon. gentleman is a representative of Manitoba, and he has a right to speak on behalf of his province as well as any other member of the House. It is proper that he should express his views. It does not alter the policy of the government; if they are strong enough to carry the measure they have promised to introduce, it will not alter the circumstances at all; but it is quite right that we should hear the sentiments that are held by a large portion of the people of Manitoba.

Hon. Mr. BOULTON—I do not think that the hon. gentleman from Mille Isles at all takes the ground that I have not a right to be heard; he only desires that I should not introduce the subject for discussion now, and I respect his motives and his broad and liberal mind, but I feel the importance of this question. I do not want to see the Dominion of Canada precipitated into a constitutional difficulty from which it may be very difficult to extricate itself. I can see that the government is disposed to rush on to the difficulty irrespective of the wishes of the people. As the hon. gentleman says, we cannot move the government—they are bound to do it, but I can warn the government that if they attempt to coerce Manitoba they will work great injury to the country. If they are determined to bring in a bill, as the hon. gentleman says they are, it is very likely to be defeated in parliament. If it is defeated the House will be dissolved and the government will go to the country on it. If the leader of the government is determined to precipitate a constitutional conflict on religious questions in the country when it can be avoided, he has assumed a grave responsibility and taken a position that is not justifiable in virtue of his long career as an exponent of exactly the opposite doctrine. I am not one of those who approach the subject with any spirit of prejudice or with any desire to hurt the feelings or impair the friendly sentiments which should exist among the Canadian population. I have as great an affection for my French Canadian fellow-countrymen and as great respect for their religion as they have themselves. I do not believe in materialism. My faith is a Christian faith, and a knowledge of the Bible is essential to a Christian education. We may differ as to the interpretation of its tenets, and the methods of teaching it, but we are united on the principles it inculcates—but circumstances arise in conducting legislation which may arouse passions and cause serious trouble in the country. If a religious contest is to be the result of the coming election, the hon. gentlemen will do great injury to the Dominion and will isolate the sympathies of that western country, if they in their present weakness are to be held down by a dominant majority in parliament. I warn the government, while it is yet time, that it is not wise to perpetuate the attitude

that they assume on this occasion—that it is quite unnecessary to invade the domain of provincial legislation, in order to redress any grievance of the minority of Manitoba.—that they can be fully satisfied by means that will not injuriously affect the constitution of Canada or infringe upon the liberties of the people. I wish to express these views while there is yet time, while the government may yet be moved. The only other subject which I wish to touch upon is the clause which appears in the address referring to the intention to provide for the better arming of our militia and the strengthening of Canadian defences. We are justly proud of our Mounted Police and their effectiveness in assisting in the peaceful settlement of our large territories. Our small standing force is steadily improving in efficiency. A movement is on foot to induce the British government to establish the depot of the Royal Canadian regiment raised in Canada some 38 years ago that Canadians may have the opportunity of joining the Imperial service. I hope it may be successful. As an old soldier, who left Canada in 1858 with that regiment I can express my feelings on this clause of the address more freely because I thoroughly realize the importance of arming our militia properly. At present they are armed with an obsolete weapon, and there is no use in keeping up a force on paper merely. The efforts we have put forth from year to year to induce the people of Canada to be more liberal in their support of the militia have up to the present been unsuccessful. Unfortunately, the condition of the world at the present moment affords ample justification to the government to make an improvement now. I only hope that they will do their utmost to put the force on a better footing, in recognition of the single-minded efforts which the members of the force are themselves making to improve the efficiency of the service and make it an honour to the country. There is no spirit which can be more advantageously fostered than the military spirit so universal in our population. Our people are active and energetic, and find an outlet for their enthusiasm and energy in their military training, and they ought to be assisted in every reasonable way both by providing them with better arms and teaching them how to use these arms, and by giving them better opportunities to practice. It is unfortunate that we are called upon to render assistance to the force in this way in conse-

quence of what I might call the disturbed state of the world. Thank God, what was threatening a short time ago has apparently died out; at the same time the ebullition of feeling shows that there is an under current of restlessness throughout the world, and we cannot close our eyes to the fact that we may some day be called upon to defend our shores. That our powerful neighbours to the south of us will ever invade our territory or seek to destroy our homes I do not believe; we are too much bound up in mutual interests and associations, but we have on previous occasions of late years had to take up arms in order to defend our homes from marauders, and it may be necessary at some future time to do so again. Unfortunately there is a jealousy amongst the nations of the power and prestige of Great Britain, but I think that their just sense will see that that jealousy is unfounded. Britain has extended her empire marvellously and extended her commerce and the benefits of Christian civilization and constitutional government to all parts of the world, and it is to be hoped she will not without protest permit that unsullied record to be broken in the Transvaal, which has lately been the scene of strife, caused by a sense of injustice on the part of a large industrious community within its borders through the withholding of the claims of citizenship which all enlightened people enjoy. Where the people of Great Britain plant their foot they do not pursue a selfish policy. Their guiding motto has been and is to-day to do unto others as they would that others should do unto them. Wherever the British flag is unfurled other nations receive the same benefits and treatment that British subjects enjoy, a policy which is in direct contradistinction to that pursued by other nations. Wherever Britain has gone, she has opened her ports to other nations upon the same free and liberal terms as to her own people, and not only that, but has accorded protection to the inhabitants of the most outlying portions of the world. It is not wise to show jealousy of a nation so long as she continues to act in that manner, and it is wise for us to stand at her back and assist her in maintaining that position among the nations. It should be our aim to endeavour to share her prosperity by adopting the same broad and liberal policy that has enabled her to extend her commerce and is giving her the wealth to exert the power she has displayed in

promoting her own interests and the interests of the world in every corner of the globe. In foreign countries where the influence of Great Britain is exerted, benefits have freely flowed. She has given to Egypt an equitable mode of taxation, and a merciful way of collecting the revenues. She has concluded a convention for the suppression of the slave trade, and the freeing of slaves there. In China, Sir Robert Hart's large staff collects the revenues for the Chinese Imperial Exchequer, and is slowly but surely laying the foundation for a better political system in that densely populated country. Through north-western India she is penetrating to southern China, and carrying with her to that dense population, the enlightenment of western civilization. The history of progress in India bears its own evidence of the wisdom of her rule. Africa is gradually unfolding to the world the possibility of covering the face of that dark continent with that same peaceful progress and industry, and in unlocking its mysteries she is foremost, leading the van with her political liberty, freedom of trade and protection of the rights of all. Unhappily the Boers have provoked a conflict with a large proportion of their population by withholding from them the principles of liberty and citizenship, which may for a time stay her hand, but if she proudly sails her flying squadron upon the bosom of the world's oceans it is with a just sense of her rectitude of purpose and her honesty in carrying it out for it is only when the jealousy of other nations holds her in check, that the benefits of her Christian civilization are withheld.

Hon. Mr. DEVER—We must all feel pleased with the speech of the hon. gentleman. It was eloquent and graceful, and the ground which he has covered was so extensive that we must admire his industry and research in bringing together the many facts which he has placed before the Senate. But whilst I say this much for the hon. gentleman, I cannot agree with all that he has said. He has declared himself positively a free trader, and he likens the object of his love to the free trade tariff of Great Britain. I, on the other hand, by training or otherwise, have always felt that the true path for the commerce of this country was a revenue tariff. Taking these two positions, I wish to show that the tariff of Canada, in my opinion, is more nearly allied, with one or two excep-

tions, to a free trade tariff, than that of Great Britain, and I think that there is no better proof of this than the figures furnished by the hon. gentleman himself—that the revenue collected by the British government last year was £101,000,000 or between twelve and a half and thirteen dollars per capita, whereas under the tariff of Canada, with all its faults, the revenue collected from our population was only six dollars per head. Hon. gentlemen will see at once that our tariff is less burdensome than theirs. It must be admitted that the people of Canada are a more prosperous and a happier people, better fed and better clad, with more money in their pockets per capita, than the people of Great Britain; and in making this assertion, I do not say it in a spirit of hostility to Great Britain.

Hon. Mr. BOULTON—Where is your evidence?

Hon. Mr. DEVER—I will furnish the evidence. We have no paupers in Canada, which is something that cannot be said of Great Britain. One of the best authorities—a man who cannot be accused of disloyalty or any unkind feeling towards Great Britain—the editor of the "Review of Reviews," estimates that in Great Britain, with its population of thirty-six millions, there are about seven hundred thousand men out of work. We have no men out of work in Canada to speak of. He also comes to the conclusion that there are eight hundred thousand paupers—that is one of the effects of the British tariff with its thirteen dollars per head imposed on all, rich and poor alike. Out of every 1,000 inhabitants 900 die without leaving any property whatever. Can that be said of Canada? I think not. There is hardly a man in Canada to-day that has not some property at least. Again, we are told that about 8,000,000 of the population of Great Britain maintain existence on the borders of destitution, and 20,000,000 are poor. I must say that there is apparently something wrong about the tariff of Great Britain, and the conclusion I have arrived at is that it is a tariff made for the classes and not for the masses, because no such poverty as this could exist in a country which boasts of the wealth which we all know is to be found in Great Britain, if the tariff bore equally upon every inhabitant. To prove that it does not do so, I will read an ex-

tract from the tariff returns, which I think will show clearly that the system is not a just one or one that we should imitate—in fact, I rather lean to the view expressed by Sir Charles Hibbert Tupper, that it is not a good system. I find on reference to the tariff returns that \$233,000,000 are raised annually upon the drink and tobacco, largely used by the unfortunate and poor. That cannot be said to be a tariff made in the interests of the working classes as my hon. friend has claimed. He stated that labour pays nothing in Great Britain. I ask, then, what causes this condition of affairs? What makes so many paupers and keeps so many in poverty up to the day of their death? What makes so much wretchedness?

Hon. Mr. POWER—The duty on beer apparently.

Hon. Mr. DEVER—In my opinion we had better regard the policy of the government of Canada in a less acrimonious spirit and less from a party standpoint. I admit that there are excrescences upon our tariff which might be removed with benefit to the country. One of them, I think, is that which favours the Massey Manufacturing Company so largely, for I do not think it is right that they should be enabled, by any provision of the tariff, to sell their goods in foreign countries cheaper than they are sold at home. I pointed out last year that there was another occupation in Canada which had, during four years, according to the public accounts, made profits out of the tariff to the extent of \$7,000,000. That is another excrescence which, in my opinion, requires adjustment; but with the removal of these I honestly believe that we would have one of the best tariffs, from the standpoint of the working classes, that could be devised. If there is anything wrong about it, the objectionable feature can easily be modified; but I hold that it is not necessary that we should follow the tariff of Great Britain to make this a manufacturing country. So sure as we adopt that policy we shall import into this country an inferior population. We all know how liable manufactures are to fluctuation, and in times of depression we would be confronted with a starving population in our cities. I think the object to be attained is to progress evenly and to enable our people, though

they may not be able to make millions, to make such a living that no man need feel ashamed of his country. I am not greatly concerned as to whether this government or that controls the destinies of the country. If the majority of the people declare for a revenue tariff I would be satisfied to see one framed on a basis of 20, 25 or even 30 per cent, but I hold that it is not right that certain classes of goods should be admitted free while other classes bear the whole burden of the taxation. That I think may fairly be called class legislation, and that is the fault which is to be found with the tariff of Great Britain, which is framed largely for the maintenance of the army and navy. These are necessary, I admit, and the country must raise a revenue for their support, otherwise its existence would be terminated in a very short time, but I think there is no necessity for introducing such a tariff into this country. The one we have is based on fairness. We only require to make it a little more uniform and to avoid the harrassing of any particular class.

Hon. Mr. McCALLUM.—I ask the indulgence of the House while I make a few remarks in reply to my hon. friend from Shell River. He has brought a strong indictment against the national policy. I was one of the advocates of the retention of the Canadian market for the Canadian people long before that policy was adopted, and I remember the time when we had free trade on the one hand without any corresponding benefit on the other. That was what might be called a jug-handled policy. The Americans were allowed to come in and undersell our people at their own doors, while on the other hand a stone wall was raised against the admission of our agricultural products into the United States. The object in adopting the national policy was to assist the industries of Canada so as to keep the Canadian market for Canadians. I believe every man within hearing of my voice who is not a political partisan, will agree with me that that is the fact. Has not the effect been to retain the market for the Canadians? Certainly. My hon. friend from Shell River tells us about the very low price of wheat in Canada to-day. Does he not know that a depression exists all over the world in the price of agricultural products, and is he not aware that the cause is simply over-production?

Hon. Mr. BOULTON—And over-taxation.

Hon. Mr. McCALLUM—How are we going to remedy that over-taxation by allowing the Americans to come into this country and flood it with their products, underselling our merchants altogether? He has another grievance—when he goes to Toronto with his beef he finds that it will only bring $2\frac{1}{2}$ cents a pound while that which we export to England brings $3\frac{1}{2}$ cents. If he would consider for a moment he would observe that it is only the best beef that is sent out of the country. The heavy animals are selected for export, because the freight charges are reckoned on a *per capita* basis.

Hon. Sir FRANK SMITH—So much per head.

Hon. Mr. McCALLUM—The national policy was adopted to assist the industries of Canada, to give work to our own people and to keep the Canadian market for the Canadian producers. Is there any man who will say that it has not had that effect?

Hon. Mr. BOULTON—If the hon. gentleman will allow me to interrupt him for a moment, I merely wish to show the cause of the difference between the price of $3\frac{1}{2}$ cents obtained in England and the price of $2\frac{1}{2}$ cents realized in this country. England being a free trade market is able to pay $3\frac{1}{2}$ cents, while the protective market can only afford to pay $2\frac{1}{2}$ cents.

Hon. Mr. McCALLUM—But what about the freights on shipments to the old country? That is what explains the enhanced price. One would think, to hear the hon. gentleman talk, that Great Britain was a land flowing with milk and honey so far as the agricultural classes are concerned. The fact is, however, that there is a very great agricultural depression in England as well as in the rest of the world. The depression has been general, and I defy any one to show me a country that has come out of it better than Canada has. It is perhaps pertinent to inquire how we would have weathered the storm had it not been for the national policy. Not nearly so well in my opinion. My hon. friend, whenever he makes a speech in this House, refers to the rebates of duty granted to the Massey Manufacturing Company. I must

say that I approve of the policy of the government in that respect, because thereby employment is given to our working people, which is a great benefit to the country. As I said before, there are many questions referred to in the speech from the throne, and I must say that I do not approve of the stand taken in regard to all of them, but I do approve of the fiscal policy of the government. My hon. friend referred to the bye-elections. Wherever they have taken place, at least in Ontario or to the west of that province, the national policy has been upheld. My hon. friend tells us that he has not a shadow of doubt that he is correct.

Hon. Mr. BOULTON—In my own mind.

Hon. Mr. McCALLUM—"His mind to him a kingdom is," and of course he has a right to think as he likes, as long as he does not think too loud. My hon. friend is a good natured gentleman, and I sometimes feel sorry when I interrupt him as I so often do, but he is in the wrong so far as what is called the national policy is concerned. Reference has been made to a revenue tariff. What have we now but a revenue tariff? Would the hon. gentleman care to go back to a tariff of $17\frac{1}{2}$ per cent levied indiscriminately on everything? I think not. Let the government stand by the national policy, and let them understand that the moment they depart from it they will hear from the people, nine-tenths of whom in my opinion are in favour of that policy. Even if the opponents of the government were to come into power would they give us free trade? I think not, and I hope not. I think not, because I do not see how they are going to raise a revenue. I do not think that it would be by direct taxation. It is true that I have not read as much as some people have, but I have read a little, and I venture to say that any party that advocates direct taxation will not receive very cordial support. The condition of our people is good. I maintain that there is not to-day a people on God's footstool better fed and better clad than are the Canadian people. We hear to-day from the party in opposition about the lamentable condition of affairs in the United States, but a few years ago they held it up as a land flowing with milk and honey. They were exceedingly anxious then for unrestricted reciprocity, commercial union, and everything of that kind; but all

that is past now. I can only say to the government that if they wish to carry the country they must stick to the protective policy. There may be some amendments necessary, but that is an easy matter to arrange. I must say that the last time the tariff was amended it was not improved very much. The government made an attempt to lower the duties, and in my opinion they made a very great mistake.

Hon. Mr. POWER—I had hoped that the debate would have terminated before this time; but I cannot say that I regret very much that it has been prolonged because the hon. gentleman from Shell River has furnished us with a great deal of valuable information, some of which is a little premature but is nevertheless acceptable. The truth cannot be impressed upon the minds of hon. members too often. Now, I do not propose to discuss the question of the national policy. The hon. gentleman from Shell River and some of the gentlemen who followed him have discussed that subject fully; and I think the hon. gentleman from Monck spoke a whole volume in one word when he made use of the expression, "A policy which is called the national policy." It reminded me of the "street which is called straight" and which is a very crooked street indeed. Having discussed the national policy for upwards of three hours, including the last hour of yesterday's sitting, I think we might now have a look at the address in reply to the speech from the throne. The second paragraph says:

We also thank your Excellency for informing us that, in accordance with the announcement made during the last session, Parliament has been summoned somewhat in advance of the usual period.

I do not know whether His Excellency's advisers, when they caused parliament to be summoned for the second of January, knew that the curtain was to be rung down for several days before the play should actually begin. If they did not, it was of course perfectly justifiable and right to summon parliament to meet on the 2nd inst., but if they did foresee the events which have been going on during the last ten days, not in parliament but outside of it, I think it would have been better not to have called the legislators together until the differences among the members of the government had been arranged. Of course we have been afforded a good deal of information and some amuse-

ment while looking on, but I think it might have been just as well if those internal difficulties of the government had been settled before the meeting of parliament. The address goes on to say:

We rejoice that Your Excellency is able to congratulate us upon the evidence of increased activity in the various branches of commerce and industry.

I am glad to see from a subsequent paragraph of the address that His Excellency observed in British Columbia a very considerable improvement, particularly in regard to mining; but I do not think that any one who comes from the maritime provinces would venture to say that there are many evidences of increased activity in the various branches of commerce and industry visible in that part of the Dominion. My own impression is that among commercial men it is conceded that the past year has not been a prosperous one. I do not say that it has been less prosperous in Canada than in the republic to the south of us; but it cannot be denied, I think, that the year has not been prosperous on the whole. There is one paragraph in the address in which I think every one can cordially unite, and it is one to which I do not think attention has been called by any previous speaker. It is as follows:

It affords us much pleasure to hear that a special feature of the same tour consisted in the opportunities obtained for visiting a number of the Indian Reservations and also the Indian Industrial Schools. We are glad to learn that on the former Your Excellency was received with hearty demonstration of loyalty and good-will, while in connection with the latter, the proofs of proficiency and intelligence on the part of the children were highly encouraging.

If there is one part of her administration of which Canada has reasonable ground to be proud, it is the Indian Department, and while not wishing to reflect upon our neighbours to the south of us, I may say that the manner in which the Indians of this country have been dealt with, and the success which has attended the efforts of our government in that connection, form a very striking and satisfactory contrast to the results of the methods adopted in the adjoining republic. I think I shall have to ask permission to touch upon a paragraph which I inadvertently passed by, namely the one which relates to the harvest of the

past year. We all unite in a feeling of thankfulness that the harvest has been good; but there is just one observation which occurs to me to make in that connection. If I understood him aright, the hon. gentleman who moved the address, claimed that it was the righteous administration of the government which had brought down upon the country the blessings of Providence.

Hon. Sir MACKENZIE BOWELL—There is no doubt about that.

Hon. Mr. POWER—I do not propose to argue that question at any length, but I think that there are some utterances to be found in a very authoritative work to the effect that God makes the sun to shine, and the rain to fall upon the just and the unjust alike. In the same book reference is made to the fact that the wicked shall flourish as a green bay tree. These passages do not seem to altogether harmonize with the theory of the hon. gentleman from Argenteuil.

Hon. Mr. OWENS.—The hon. gentleman might go further and refer to the text which says that when the rulers are corrupt the land mourneth.

Hon. Mr. POWER.—Yes, the land does mourn. There has been considerable evidence of that recently, and the people are anxious to have a chance to show how badly they feel. I am surprised, however, that the hon. gentleman from Argenteuil, who I understand resides in Montreal, and the hon. gentleman from De Salaberry, who seconded the address, should, above all other members, talk about the righteous administration of the government; because it is only a few months since certain transactions took place in Montreal in connection with what is commonly known as the Curren Bridge scandal, which did not go to indicate that righteousness was a characteristic of the government. Then, not very long before, the time of parliament was taken up in dealing with some matters relating to transactions affecting the Quebec Harbour works, which were not supposed to indicate excessive righteousness on the part of the government. I could have understood it if hon. gentlemen who come from the Northwest, or British Columbia, or even Nova Scotia, were to proclaim the probity of the government, but how gentlemen who come from

Montreal of all places in the Dominion can talk about the righteousness of our rulers is something that quite passes my understanding.

Hon. Mr. ALMON—And the Baie des Chaleurs matter.

Hon. Mr. POWER—My hon. colleague is going back to ancient history.

Hon. Mr. OGILVIE—Not very ancient.

Hon. Mr. POWER—Yes, it is quite ancient, and the men who were more or less guilty in the matter have been punished, some of them have left this world, and I think they might be allowed to rest in peace. The hon. gentleman laughs, but it is not very long since a gentleman who had been associated with the late Mr. Mercier, and who was recognized by every one who knew anything about the Quebec government of that day as being quite capable of going just as low as any member of the Mercier administration, was earnestly urged to enter the present administration of Canada. Under these circumstances, it does not become the hon. gentleman to go back to the old Baie des Chaleurs railway story. Mr. Mercier, I am afraid, was no better than a good many Conservatives of Quebec. He was originally a Conservative and never got over his Conservative ways.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is quite right; and when he found the rascality of those with whom he was afterwards associated, he went back to his first love.

Hon. Mr. POWER—I think the statement of the hon. first minister is almost as near to the truth as the reasons which were given yesterday for the difficulties in the administration. Every one who is familiar with the political history of Quebec knows that that was not the reason why the hon. gentleman who was asked to join this government ceased to support the Mercier government. It was a very different reason; but I do not propose to talk of it here.

Hon. Sir MACKENZIE BOWELL—What was it?

Hon. Mr. POWER—It was not because the Mercier government were too bad for him.

Hon. Sir MACKENZIE BOWELL—Your statement does not make it a fact.

Hon. Mr. POWER—I say those who are familiar with the political history of the province of Quebec say that, and there are honourable gentlemen in my hearing who know that what I state is true. My statement is probably as good as the first minister's; it is not any better. The next paragraph to which I propose to refer is the one dealing with the Manitoba schools. We all cordially unite in saying that we share the regret that the advisers of the Lieutenant-Governor have declined to entertain favourably the suggestions made by the government here, and thereby have rendered it necessary for His Excellency's government to introduce legislation in regard to this subject. It is very much to be regretted indeed that this question, which could be so much more readily and satisfactorily settled in the legislature of Manitoba, has not been settled there instead of being brought here. The hon. member from Shell River made an observation in connection with this Manitoba school question which I do not think he should have made without first very carefully weighing the matter. He spoke of the tyranny—that was not just the word he used, but practically that was his meaning—of the Parliament of Canada in undertaking to oppress the province of Manitoba. Now the hon. gentleman seemed to forget that the majority in Manitoba had oppressed the minority.

Hon. Mr. BOULTON—No.

Hon. Mr. POWER—Well, that is the opinion, apparently, of the Judicial Committee of the Privy Council, and it is the opinion of the minority in Manitoba; and if the provisions of the constitution are carried out in a judicious way, that is not tyranny.

Hon. Mr. BOULTON—There is a vast difference between oppression and a grievance.

Hon. Mr. POWER—It is one of those distinctions without very much difference. However, this is one of those questions as to which it is better not to speak without the book. When we see the measure which is to be introduced, and when the papers which are promised by His Excellency are

laid before us, we shall be in a better position to judge of the exact merits of the two sides of the story. Our old friend, the fast Atlantic service, appears in another paragraph. In this paragraph I regret that it seems to be further away than it was some years ago. A few years ago we were making contracts, and now there is only an expression of gratification that the Imperial authorities have announced their willingness to grant a substantial subvention. I have not seen the document in which they have made the announcement, but probably it is a sort of conditional willingness. However, when it comes we shall be glad to see it. Then with respect to some little discussion which took place in connection with this Manitoba school question I shall call attention to a fact—I have forgotten now which hon. gentleman opposite condemned very strongly the conduct of the Greenway administration, or the Liberal party as he terms them, in Manitoba—but I remember that in 1892, and again during the present session, the Conservative opposition in Manitoba went just as far in their hostility to measures of redress for the minority as the government party did; so I do not think there is much to choose between them. It is a case of Manitoba against the rest of the country apparently. The next paragraph to which I desire to call attention is a very short one but somewhat important:

We observe with great interest that our attention will be asked to measures intended to provide for the better arming of our militia, and the strengthening of Canadian defences.

Now, hon. gentlemen, I should have preferred that that paragraph had not appeared in the address, not because I am opposed to the policy indicated there, but because, while it is the duty of the government to deal with the matter to which this paragraph refers, yet under all the circumstances it would have been better to have attended to the matter, and have said nothing about it in a public document like this. You will observe that in the mother country, although they have done a good deal in making ready for war, the government has not said much about it, and I think that would be the wisest policy for us—to do everything we could to get ready every possible defence but not to publish to the world, and to our neighbours principally, the fact that we were doing that work. I cannot agree altogether with the gentleman who preceded

me on this side of the House with respect to what ought to be done. I can quite see that the proposal to build fortifications at regular distances along the frontier is perfectly absurd. I do not think that would commend itself to any business man or to any soldier, but we might go a little further than the hon. gentleman from Ottawa proposed to go. I am not a soldier in any sense, and I may be all wrong about it, but I think that in addition to the fortifications at Esquimalt and Halifax and some other places on the coast, there should be some steps taken to protect the lake ports, and that there should be one harbour on each lake which could, in time of difficulty, be used as a harbour of refuge for Canadian vessels on the lakes. It seems to me that it would be a judicious thing to do. Steps ought to be taken also looking towards protecting the approaches to our great cities. We know how a comparatively small Canadian force in the war of 1812 was able to defeat a large hostile army marching upon Montreal, and it would be a judicious thing now to see in what places fortifications might be erected, or any rate arrangements made to mass troops in case of war. The hon. gentleman from Victoria (McInnes) seemed to think it would be well to reduce the number of the militia and to train them more in marksmanship than at present. I do not think the militia are too numerous, but I quite agree with him in thinking that if more money and more time were devoted to teaching our militiamen to shoot straight, and if a little less money was spent up on other things in connection with the militia, it would be a good deal better. Nowadays, with the improved arms we have, the old fashioned discipline is of very little consequence. A thousand men who are properly trained marksmen will dispose of a hostile force now before they get within 300 yards of them. In old times the old Brown Bess would not carry beyond 300 yards. We ought to recognize that change in the conditions of warfare, and devote more time than we do to teaching our young men how to shoot accurately. Then the speech proceeds :

We are gratified to learn that the growth of population in the North-west Territories, as disclosed by the last enumeration, calls for additional representation in parliament and that a bill for this purpose will be laid before us.

We are glad to hear of that increase of population. We have been looking for it

for a good many years and we are glad that it has come. Then there is an expression of satisfaction that the commissioners appointed by Great Britain and the United States for the purpose of delimiting the boundary between Alaska and Canada have concluded their labours and have signed a joint report for presentation to their respective governments. It is more gratifying to know that the commissioners have agreed than that they differed, but the difficulty in dealing with the country to the south of us is that when the authorities who might be supposed to represent the government of the country have agreed with us, the legislative branches of the government are not likely to agree, and while I am pleased to know that our commissioners have agreed with the United States commissioners, I do not expect to see any ratification of that boundary matter for some considerable time, at any rate not before the next presidential election. I cordially endorse the paragraph which appears on the question of copyright. From all I can learn there is now a prospect of having this question settled on a basis which will be fairly satisfactory to the English authors and publishers and fairly satisfactory to our own publishers. The matter has been for a long time in a very unsatisfactory condition, and it is gratifying to know that that condition of things is going to end. The second to last paragraph says :

We are pleased to learn that the revenues of the country show a gradual and continuous increase, and that the promised equilibrium between income and expenditure on consolidated fund account for the present year bids fair to be realized.

Well, hon. gentlemen, it has not struck me that there is a gradual and continuous increase in the revenues of the country. The amount of our imports is less, and unless the duties are higher than they were, I do not see how we can have much increase. It is true that during the current year it is anticipated that the deficit will not be as large as last year. For the year ending 30th June last there was a deficit of four and a half millions, and hon. gentlemen will remember the hard things said about the Mackenzie administration because they had deficits, and they will be surprised to learn that that deficit last year was larger than all Mr. Mackenzie's deficits taken together. I do not attribute any criminality to the government. They are spending fourteen

and fifteen millions more than Mr. Mackenzie spent, and they said he spent too much. Still circumstances alter cases. This address hopes that the promised equilibrium will be realized during the present year. I do not think it will in any case, but the introduction of the hon. gentleman who has recently been High Commissioner in England is calculated to prevent that happy result being attained, because one unfailing characteristic of that hon. gentleman always had was that he spent money very freely—public money I mean. Perhaps I might be allowed to say something in reference to what was said by the hon. gentleman from St. John, on the subject of pauperism in England, which he attributed to the trade policy. Inasmuch as pauperism and crime have diminished very much under the trade policy, I do not think there is much in it.

Hon. Mr. DEVER—The statement is of a recent date.

Hon. Mr. POWER—But the statistics show that pauperism and crime have very largely diminished in England under free trade.

Hon. Mr. DEVER—It has, because my statistics are of recent date, and apply altogether to a period subsequent to the adoption of free trade.

Hon. Mr. POWER—The address continues :

Your Excellency may rest assured that these subjects and others which may come before us, shall have our earnest consideration.

Well, that is satisfactory.

And your Excellency may safely rely on our wisdom and prudence—

I hope he may.

—under the Divine guidance—

Which I trust we may have.

—to discharge with dignity and effect the high trust committed to our care.

When one reads that word "dignity," one cannot help feeling that it is certainly appropriate that this address should not have been adopted at the opening of the session, because if we look at the things which have happened since the opening of the session we can not feel that the high trust committed to our care has been discharged with dignity and effect. Anything more undignified in connection with parlia-

mentary business than we have had during the past fortnight would be difficult to conceive.

Hon. Mr. PERLEY—I suppose it would be proper for me to apologize to the hon. member for Shell River for not being present during his speech. I heard a few of his remarks, however, and I must take exception to those remarks as expressing the sentiments of a portion of the people in the North-west. I was a supporter of the national policy even before I went to the great North-west. I was a supporter of the railway policy of the government when I was in New Brunswick. I have always supported those policies of the government even in the North-west, because I believe even in that country it tended in those two particulars, to build up not only the North-west but Canada as a whole, I am proud to know to-day that as the result of that policy we have a magnificent railway system which would not have been established had it not been for the Conservative party. My hon. friend complained about the price of the agricultural implements in the North-west. I may tell him that when I was in that country in 1883 and 1884, I was agent for the sale of those implements, and I sold a binder for \$300 at that time; to-day I would not take that binder with the three hundred dollars on the seat of it and use it in preference to the binder I pay \$140 for now, and we are able to sell binder twine to the farmers at seven cents a pound, better twine than was formerly used at a cost of 18 to 20 cents per pound. These are the results of building up the National Policy. The price of those articles may have been a little high on the start, but of late years they are able to compete with the United States manufacturers and sell cheaper. The binder sold by the Massey Company is sold for thirty or forty dollars less than the United States binders and is a better binder. I am using the Canadian binder, and I say it is better than the United States article. However, there are a few people who are not patriotic, who say the United States binder is a better binder. The Massey binder, however, is sold cheaper in the North-west Territories. The North-west has had a magnificent harvest. Not only have the people learned how to cultivate the soil to produce wheat, but it would astonish

you if I would tell you the amount of wheat raised per acre. Wheat, oats and barley are our staple grains, and we raise vegetables also. The people who went into wheat raising at first are now stock raising, so that from almost every town on the Canadian Pacific Railway out to the Rocky Mountains cattle are shipped not only in carloads, but in trainloads. We have shipped two complete trainloads from my own town, besides on several occasions one, two, three and four carloads, showing that the cattle of that country are developing fast and becoming an important article of export with the farmers of the North-west. I am pleased to tell you also that I have learned that the mining industry of British Columbia is developing, and is inducing people to come there. I have not myself visited the mines yet. As regards the Indians, I feel we can justly congratulate the government of Canada on the good treatment they have given to the Indians of the North-west. I know the savage state they were in when I first went to that country. Settlers were in danger out on the plains. If you could have seen the heinousness of their actions, you would think that if you went among them you took your life in your hands; but what do we find to-day? They are docile and civilized persons, making a living for themselves, in all the pursuits of agriculture and manufacturing articles for themselves. The Prime Minister visited the territorial fair there last year, and saw the Indian exhibits. I say that the exhibit furnished by the Indians would do credit to any class of people. It comprised not merely articles of one kind, but there was a dozen kinds. The Indians were trained at the industrial schools, and the exhibits were equal, if not superior to any other class of exhibits at that fair. There was no exhibit that the white man produced at the fair which was more creditable to him than the Indian exhibit was to the Indian. With regard to the police force, I regret that it has not been kept up to the standard in number that the requirements of the country and the circumstances would justify. I do not remember a case in my portion of the territory, Assiniboia, where an Indian has been arrested for a crime. The police are not housed up in Regina, but are scattered over the country, and the presence of a policeman is a safeguard against any

crime being committed by Indians or white men. It is a mistake to attempt to reduce that force from what it was two or three years ago. I say it should be increased. It is money well spent and it will serve to preserve law and order. I hope the government will see their way to increase the police force, and keep them in an efficient condition as they have been in the past, and they will build up the North-west in the confidence of the world and people will know that their lives and their property are safe when they come into that country. With regard to the school question, I regret that it has been treated in the manner in which it has been by the people of Canada—not the people of the North-west, or of Manitoba, but by political parties all over. It has become a party weapon and a subject of political controversy. I have always said from the very start that I am as good a Protestant as stands in this House, and as such, I claim to be a fair man and to do what is right to my fellow men. I say you cannot make people Catholics, any more than you can make them Protestants. I do not believe in their form or principles of religion any more than they do in mine. But if, instead of keeping this fire-brand burning to agitate the people of the country, people would take a fair stand and act upon that, there would be no trouble in educating the people of the North-west and Manitoba to do justice to all. The true policy is to establish proper and efficient schools, taught by properly qualified teachers, under government inspection, supported with government money; let every school be dismissed at a certain hour, and let the priest, I was going to say the Pope, or King William say the prayers after school hours. I believe that would commend itself to Roman Catholics and Protestants; but every man is filled with prejudice when outside interference is talked of, and they all cry "Hands off." The people of Manitoba do not want their rights infringed upon; they want to be allowed to legislate as they will; but if they will not deal out even handed justice, I say this parliament has got to do it, and I will support that policy. I am glad to see that the government has considered the interests of the farmers, inasmuch as they intend to establish a fast line of steamers. I know that the line will get all the trade it can

do. It will help to develop the territories of the North-west, and I am sure that when the people get confidence in it the enterprise will be successful. With regard to the militia, my hon. friend thinks it was wrong to insert that paragraph in the speech. It is not put there in a hostile spirit. It is a matter that should be mentioned in the speech. The militia of the country should be kept in a good efficient condition, not only as a means of defence in case of trouble arising, but because prevention is better than cure; it is well to know that we are able to meet an emergency when it arises, and it will be a source of strength and confidence to the people of Canada. I am pleased to notice, also, that the North-west have increased in population. That country is improving and is settling up, not as fast as we should like to see in some respects, but still there is an immigration into the country and a settling all over, and by the census taken last year the population has increased so much that we are entitled to increased representation. I am glad to see the government is going to give us increased representation, and I hope when that time comes those who are representing that part of the country will not act on the same principle that my hon. friend did and oppose those who are giving us increased representation.

Hon. Mr. FERGUSON moved the adjournment of the debate.

The motion was agreed to.

A QUESTION OF PRIVILEGE.

Hon. Sir WILLIAM HINGSTON—I rise to a question of privilege. A paragraph in the *Globe* has been brought to my notice since I have had a seat here. I should not allude to it now if it had not concerned the manner of my introduction into the Senate. The paragraph reads as follows:—

The appointment of Sir William Hingston to the Senate was a bare-faced proceeding. It would seem that he was bribed to take the field with the promise of a senatorship.

Honourable gentlemen, there is not one word of truth in that statement. I speak here in the presence of members of the government, and I say that at no time during the contest, previously or subsequently, until the 31st December did I directly or indirectly approach any member of the government with

reference to a seat in this House, and I must do the members of the government the justice to say that neither directly nor indirectly did any member of the government approach me and offer me a seat. It is true that on the 31st December, for the first time, a telegram from the head of the government, offering me a seat in this chamber, was received by me, and that same evening or the next morning I sent a telegram accepting. There is the beginning and ending of it.

The Senate then adjourned.

THE SENATE.

Ottawa, Friday, January 17th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE MINISTERIAL CRISIS.

Hon. Sir MACKENZIE BOWELL—Before proceeding with the debate on the address I desire to make a statement in reference to the course which I pursued in connection with the ministerial crisis, for the purpose of placing it on record and for the reason that an hon. member of the other House has made a statement which might hereafter be used to my disadvantage. It is not often, nor do I consider it comports with the dignity of this House, that reference should be made, or comments indulged in, upon the proceedings in the House of Commons. At a time, however, when ministerial explanations are being made, after a crisis in the Cabinet, a departure from this wholesome rule may be justified. I have already stated that in the negotiations which led to the return of six members of the Cabinet who had resigned, there were no stipulations nor conditions. I was, therefore, not a little surprised on reading in the official Debates of the House of Commons of the 15th inst. the following statement by Sir Richard Cartwright:—

It is impossible that even such a crew could dream of returning except on a most distinct understanding, whether written or verbal, that within a very short space of time Sir Mackenzie

Bowell must make way for Sir Charles Tupper, Bart.

An hon. MEMBER—You are right for once.

Sir RICHARD CARTWRIGHT—Yes, right for once and right always, and right all through.

The interpolation was unwarranted and not based upon facts. I do not accuse the hon. member of any desire to mislead the House, nor do I blame Sir Richard Cartwright for concluding that some understanding of the character indicated had been arrived at between Sir Charles Tupper, Bart., and myself. They are, however, both incorrect in the view they have taken. I desire, therefore, in order that my future course may not be misunderstood, to make this definite explanation:—

When I met my colleagues who still remained in the Cabinet, and submitted to them the names of gentlemen who had honoured me by consenting to accept positions in the new Cabinet, I stated minutely and positively the line of policy I proposed to follow. I also stated, with perfect clearness, the course that I intended to take, personally, after the policy I had announced had been carried out. I desired to leave my colleagues without any doubt as to the course I intended to take, and I justified my decision by arguments based on the best interests of the Conservative party—which interests I believe to be identical with the welfare of the country. This all occurred before negotiations were re-opened for the return of the ministers who had retired, and at a time when it was thought reconciliation was impossible. At the meeting to which I have alluded, there were present: Hon. Sir Adolphe Caron, Hon. Sir Frank Smith, and Hon. Messrs. Costigan, Ouimet, Daly and Ferguson.

I have but to add, that when full explanations are given I have not the slightest doubt, the party I have served from my boyhood and the country at large, will approve of the course I have taken. I should not have referred to this unfortunate ministerial crisis again, had it not been that the remark was made by an hon. member of the House of Commons and has become part of the permanent record of the House of Commons.

Hon. Mr. SCOTT—May I ask who the hon. gentleman was who interrupted Sir Richard Cartwright?

Hon. Sir MACKENZIE BOWELL—Mr. Pope.

THE ADDRESS.

DEBATE CONTINUED.

The Order of the Day being called—

Resuming the further adjourned Debate on the consideration of His Excellency the Governor General's Speech, on the opening of the Sixth Session of the Seventh Parliament.

Hon. Mr. WOOD said:—I shall ask your indulgence for a short time only, while I offer a few remarks upon some of the subjects which have been referred to in the debate that has taken place during the last two days. In looking through the address which His Excellency has presented for our consideration, I feel that one of its most important clauses is that which refers to the development that has taken place during the last few years of the natural resources of the country. I believe that this refers more particularly to the recent development of the natural resources of British Columbia, and in the hasty glance which I have taken at the report that has been placed in our hands since we came here, I find there has been a very marked production in that part of Canada of lead and silver bearing ores as well as other valuable minerals. In this connection I was somewhat impressed by the remarks which were made by an hon. gentleman who represents that province in this House when he suggested the propriety of establishing a Canadian mint. I am not sufficiently acquainted with the advantages that we would derive from the establishment of a mint in this country, but I was interested in the observations of the hon. gentleman, because I heartily endorse the principle which seems to be involved in that suggestion. I am one of those who believe that no effort should be spared to provide every means which we possibly can to convert in this country the valuable natural resources that we possess into articles of use and for general commerce. If the suggestion or proposition of the hon. gentleman is a practical one and surrounded with not too many difficulties, I trust it will receive from the government of the day the consideration which it deserves. I should like further to observe, in connection with this subject, that it appears to me too little attention has been paid in the past, and perhaps too little importance to-day is attached to the natural resources of this country, and to the necessity which exists for their

preservation. We all admit that in this country we have natural resources of unlimited extent, the value of which it is impossible to estimate. In my opinion their greatest value is that they are the most important factors, and must in the future be the most important factors in the development of the manufacturing industries of this country. This Dominion of ours has natural advantages and is some day destined to become a great manufacturing country and we are destined to become a great manufacturing and commercial people. We certainly have many advantages and there are already indications in our country which point in that direction. I think we may all feel proud of the progress that we have made, and I believe that this is only a foreshadowing of what we may expect in the future. I have noticed—and it was from the fact that I had noticed this, and it is a subject to which I have given some thought and attention for a few years past—that in the trade returns for the present year, among our exports will be found some 283,000,000 feet of the forest products of this country exported in the shape of unmanufactured logs. Now the forests, next to the mineral wealth, of the country are the most important and in my opinion the most valuable of our natural resources. This export of our forest products in the shape of unawn logs appear to me a waste of our natural wealth and resources. It may be, of course, that a few persons—I do not think there can be very many, and I would not be much surprised to find that the persons interested in this business are mostly foreigners—but there may be a few persons of this character who are interested in timber limits, who derive some profit from these transactions, and and it is also no doubt true that a very large number of persons, mostly, however, the cheapest class of labour employed in this country, find employment during the winter months in cutting down this timber, and preparing it for transportation across the lakes. Now, while those people may, during that time, derive from the employment which they receive a bare livelihood, and in most instances, I think they get little if anything more, the country derives no permanent advantage or benefit from business of that character. No wealth is created, and no permanent benefit remains, and as soon as the operations are completed, the scenes of those operations are as desolate

and deserted and silent as an African desert. In my opinion, it is important that these great natural resources, the products of our forests and the products of our mines, should be in some way preserved—if they are not needed now, at least for future generations—in order to form the foundation for the growth of the manufacturing industries to which I have referred. It may be said that any action in this direction will retard our development. Well, that may be true. It may be that there would be a temporary check upon our mining operations, or upon these operations in the forest, to which I have referred; but I believe that if it is so, and we preserve those great and valuable natural resources, we can leave no better or more valuable heritage to our children and to the generation who are to follow us. I was present in the House of Commons when the export duty on logs was removed some years ago. In my humble way, I ventured to enter my protest to the leader of the government at that time, the late Sir John A. Macdonald, against the action which he proposed to take. It was unavailing, of course, and the export duty was removed in consideration of some reduction in the duties on lumber in the United States. I was, however, of the opinion at that time that that action was contrary to the best interests of the country. I am of that opinion still, and in my humble judgment this country has not derived any reciprocal advantages that are at all commensurate with the loss we have annually sustained from the sort of trade to which I have referred. Passing from this subject another clause in the address, which is closely connected with this, refers to the increased activity in the various branches of our trade and commerce. I presume it is this clause in the address which has given occasion for the remarks of very many of the speakers who have addressed the House upon the fiscal policy of the present government. I agree with those who say that it is not advisable at this stage of the session to enter into a lengthy discussion of that policy, but as it has been referred to, it may not be amiss to offer some few general observations on the subject. The hon. gentleman from Shell River referred to it at the greatest length. He pursued a line of argument which has been followed by members of the Liberal party and by the press throughout the country. He held up for our imitation

the example of the mother country, and advocated a system of free trade for this country similar to that which has prevailed for many years in Great Britain. The hon. gentleman contended that under that system Great Britain had become, and is to-day, one of the greatest manufacturing and commercial nations in the world, and the inference he intended us to draw was that if we adopted the same policy the same results will follow.

Hon. Mr. BOULTON—Hear, hear.

Hon. Mr. WOOD—I am glad to know that I am correct in that reference because it receives the sanction and approval of the hon. gentleman who made the state-ments to which I have referred. We all admit that Great Britain has become one of the greatest manufacturing nations in the world, that she has held that proud position for many years, and that she holds that proud position to-day, but when we look at the history of Great Britain and talk of imitating her example, we should remember that she was not always a free trade country. We should remember that in the early periods of her history Great Britain had a highly protective tariff, and that it was under that protective tariff that her manufacturing industries were developed, and it was not until after many years of protection that she adopted free trade. She had accumulated enormous wealth. She had concentrated within that kingdom the skilled labour and the best machinery that could be secured, and placed her manufacturers in a position to defy all outside competition. It was not until she was in that proud position that she was willing to throw down those barriers and open her markets to the commerce of the world. If I read the history of Great Britain aright, it appears to me that in the early history of this country, which corresponds with the early history of the mother country, when our manufacturing industries are in their infancy, when we have not a very large amount of capital or skilled labour, or experience in these different branches of manufacture, we are following her example by throwing round the manufacturing industries of this country a reasonable protection from foreign competition. That is the lesson which I learn from the history of Great Britain. Then there is

another point in connection with that subject to which the hon. gentleman did not call attention, but I think it is well that we should keep in mind when we are considering the history of manufacturing enterprise in Great Britain and talk of following her example; and that is this, that while this example, which he says Great Britain has placed before us, of success and prosperity under a free trade tariff has been before the world now for 50 years, there is not a civilized nation in the world to-day that has followed her example in abandoning a protective for a free trade tariff.

Hon. Mr. BOULTON—They are not so intelligent.

Hon. Mr. WOOD—It may be that they are not so intelligent, and it may be that we are all wrong and that the hon. gentleman for Shell River is right, but we should have some regard for the opinion of the statesmen who preside over the destinies of such nations as France, Germany and other great European powers. I think, too, we should have some respect for the opinions of the statesmen in the great republic to the south of us. This is not a new question there. It is a question which they have considered and discussed for many years; and after all their consideration and discussion, after all the attention which the most eminent politicians and political economists of the United States have given to this subject, there is not found in that country to-day any considerable number of persons—not sufficient to form the nucleus of a party—who are prepared to advocate free trade theories, and if we can judge of the recent elections in that country, the trend of public opinion in the United States to-day is that they should still throw around their manufacturing industries the principle of protection which they have adopted for so many years. Surely we should give some heed to the opinions of these eminent statesmen, and I think we might fairly draw this conclusion too: if in a country like the United States, with the enormous resources and wealth which that country possesses, with manufacturing industries which have been established for many years, where a great amount of wealth has been accumulated and skill acquired, and where they are in a far better position than we are to-day to compete with Great Britain

and other countries in the open markets of the world—if in that country it is not considered safe or advisable or wise to adopt free trade, how can it be in a country situated such as we are in Canada, with a smaller population, less wealth and less experience in these different branches of manufacturing industry? The hon. gentleman told us that he had been for many years advocating this free trade principle, and with commendable zeal he tells us that he intends to pursue this same course in the future. I fear that the hon. gentleman will find himself for some years to come in a rather hopeless minority, as he finds himself to-day. It is not, perhaps, wise or profitable to predict the results of elections which are to come; but I feel that I might in this case venture the assertion that in the elections which we are to have within a few months, when this question will be submitted to the people, we will have a more unanimous verdict in favour of our present policy than we ever have had in the past. I can only say that I hope when those elections do come on that this question which, in my opinion, is the supreme one dividing the two great political parties in this country, will be fairly submitted to the people upon its merits, and disassociated from other questions which, at the present time are engaging public attention, so that the verdict of the people may in the coming election, as in the past, be given fairly upon that great and important issue. Reference has been made by every hon. gentleman who has addressed the House in the course of this debate, to the paragraph in the address which relates to the Manitoba school question, and it is proper that reference should, to some extent at all events be made to it, as there is no subject in the address which occupies a larger share of public attention at the present time. I quite agree with the remarks which the leader of the House made in opening the debate, that it is not necessary, and it would be a waste of the time of the House, to go at any length into the details of the history of this question. I can quite understand that every member of the Senate is familiar with all the facts and circumstances connected with its past history. It is the duty of every one occupying a position in parliament to give attention to all important questions which arise for public consideration, and I feel confident that every hon. Senator has followed closely

the course of events in Manitoba and is thoroughly familiar with the general features connected with this subject. It does not appear to me that it is wise, therefore, to review the past history of the question. We have arrived at a time when it is necessary for this parliament to take action, and in my opinion at least, the duty of parliament is plain. We have before us the judgment of the Privy Council of Great Britain. Under that judgment there is no room for discussion of the question whether or not the Roman Catholic minority in Manitoba have a real and substantial grievance. The judgment is decisive upon that point. It is decisive, too, upon the further point that this is a matter which comes within the 22nd section of the Manitoba Act—that it is one of those cases which it was contemplated, when that Act was passed, might arise in the history of this country, and it is such a case as it was intended that the remedies provided in subsections 2 and 3 of that section should be applied. Now, it appears to me useless for any public man at this stage of the question to say that further time should be taken for the investigation of the subject, because it has been discussed in the press, in the houses of parliament, and throughout the country, for the last six years. More than that, it has been before the courts, evidence has been taken upon oath, and under all these circumstances no public statesman worthy of the name could come forward at this time and assert that he is ignorant or ill-informed upon this question and requires further time for study and investigation. I do not believe—I cannot believe that there is a public man in Canada to-day who is not thoroughly familiar with the facts and circumstances surrounding this case, and who has not made up his mind as to the course of action which should be taken in regard to it. As I have said, we have the decision of the Privy Council to assist us in this matter. Under that decision, it would be the duty of the Manitoba legislature to redress the grievances of the Roman Catholic minority. When the local authorities decline to do so, the duty devolves upon us. Under the decision of the Privy Council, in this parliament rests the power and the right to redress the grievances of which the Roman Catholic minority complain, and the refusal of the province of Manitoba to comply with the decision of the Privy Council, places further

upon this parliament the duty to restore those rights. I do not think, if I may judge from the general trend of the remarks which have been made by hon. gentlemen who have spoken in the course of this debate, that in this House there will be much difference of opinion in regard to this feature of the question. Fortunately, in this House we are not liable to be largely influenced by popular opinion or prejudice. We are in a position to review this question, to consider it calmly and judicially, and free from the prejudices which may surround representative men elsewhere, and I feel that under those circumstances, there will not be much difference of opinion in the Senate upon the question. The hon. gentleman who leads the opposition, in speaking upon this subject, pointed to some of the difficulties which might surround the enforcing of any legislation that we may pass. I quite admit the existence of the difficulties to which that hon. gentleman referred. I am prepared to admit the very great difficulty of enforcing any law without the aid of the municipal authorities, and the difficulty of enforcing legislation in any community where we have a hostile public opinion or a hostile local government, but I do not think, even if that state of things does exist, that it should deter us in the action which we propose to take in this case, nor do I think that the difficulties which the hon. gentleman apprehends will be found insurmountable or so serious as would at first appear. I do not know what the views and opinions of that hon. gentleman are as to the nature and character and extent of the legislation which we should adopt, nor do I know, on the other hand, what are the views of the government of the day upon that question. Up to the present time I, at least, have received no information in regard to it. Neither am I a professional man, and I presume for that reason that any opinion which I might express will not be entitled to so great weight as it might under other circumstances, but from what thought and consideration and study I have been able to give to this question, it does not appear to me that it properly devolves upon this parliament to originate or devise a public school system for the province of Manitoba. It does not appear to me that it is our duty, under these circumstances, to pass an Act which will elaborate in all its details the minutiae of a system adapted to the conditions of that

province or to provide the machinery which might be necessary for carrying such a law into effect. I can readily understand that legislation of that kind might result in failure. It appears to me, if I read the Manitoba Act correctly, that the duty of this House is not to originate a school system, but to remedy a grievance; that it is not to confer upon the people of Manitoba any new rights or powers or privileges, but to restore the rights and powers and privileges which they formerly possessed, to which they are entitled under the constitution of the country, and of which they have been deprived by the Acts of the Manitoba legislature passed in 1890, and of which the minority justly complain. It appears to me, inexperienced as I admit I am, that an Act repealing so much of the Act of 1890 of the Manitoba legislature as interfere with the rights and privileges which the Roman Catholic minority in that province had up to that time enjoyed, and an Act which reenacted so much of the former legislation existing in that province as would restore to the Roman Catholic minority the full enjoyment of the rights and powers and privileges to which they are entitled, would adequately meet the requirements of this case.

Hon. Mr. BOULTON—Parliament would have no power to repeal any portion of an Act of the province of Manitoba.

Hon. Mr. WOOD—I do not know whether the hon. gentleman's opinion is of much more value than my own, or not, but I must humbly beg to differ from him. From what little I understand of law, if the Manitoba Act, as it does, confers upon us the power to legislate on this matter, it confers upon us the power to legislate in any manner and to any extent that may be necessary to carry out the provisions of that Act, and if it is found necessary, or desirable, or wise in the exercise of those powers to repeal any part of the legislation passed in the province of Manitoba, I humbly conceive that under that Act we are empowered to do so. Therefore, I must differ from my hon. friend on that point. An Act of that character would place the Roman Catholic minority of Manitoba in a legal position to assert and maintain the rights and privileges of which they complain they have been deprived. If any dispute should arise hereafter as to the na-

ture, or extent, or character of those rights, they have the courts of law in which to settle them, and under an enactment of that kind, in the full exercise and enjoyment of the rights, powers and privileges of which they claim they have been deprived, they would be protected by the courts of law and officers of justice. In my opinion, at least, such legislation would adequately meet the requirements of this case and give the Roman Catholic minority of Manitoba full redress for the grievances of which they complain. It would be useful and effective in placing them in a position for all future time to assert and maintain the rights and privileges to which they are entitled under the constitution. There is one other phase of this question to which I should like to direct a few remarks. It has not been touched upon by previous speakers, and I may further say that I do not think it is properly involved in the consideration of the measure which will be presented to us by the government later on. The question to which I refer has been discussed freely throughout the country since this matter has been engaging public attention, as to the relative merits of separate and denominational schools and a national and non-sectarian system of schools. The question to which we are to consider does not involve this, for, in my opinion, the question which we have to consider is merely a constitutional one. I feel, however, that this other is an important branch of the subject, and to some extent at least it is indirectly involved in the consideration of this question. I merely wish to say that in regard to that, for my own part, I strongly sympathize with the views of the Roman Catholics on this subject. I sympathize with their desire to have schools in which their children may be educated under the guidance and control of the church to which they belong and in whose principles they believe. I do not admit and I do not think that those arguments are fair which are used by some advocates of the non-sectarian or national school system, that the adoption of a different system necessarily implies the appropriation of public funds for the dissemination of religious doctrine or the advancement of the interest of any particular creed or church; nor do I think it is a fair contention, as it has been contended in the case of the province of Manitoba, that these schools are necessarily of an in-

ferior character, that the system of education necessarily keeps the young people of the country in a greater state of ignorance, or that as thorough an education cannot be obtained under this system as under any other. I cannot understand, in fact I do not see how it is possible, that any intelligent person in this or any other country should wish his children to have an inferior education. I do not understand, and I do not believe, that any reasonable person, whatever may be his religious faith, will object to having the teachers who may be employed in the public schools submit to a qualifying examination, or to any necessary test to show that they have the ability and the qualifications as well as the intellectual attainments to enable them to impart a thorough education. Nor do I think anyone will object to having a curriculum or course of study prescribed which will be sufficient to enable the students of the school to discharge the duties and responsibilities which may devolve upon them in after life. But it is entirely compatible with that idea, and I believe it is a proper and a praiseworthy desire on the part of any parent to desire that these same teachers should be men of Christian character and religious profession. I take the position that whatever legislation we may enact we cannot prevent the teacher in the school from exercising an important influence upon the students under his charge. You may, if you choose, enact a law prohibiting any religious instruction in schools, and you may employ a teacher who conscientiously tries to carry out the provisions of that law. He may very carefully abstain from giving any specific religious instruction or from expressing any religious opinions; but I claim, and I believe the experience of every hon. gentleman in this House will bear me out, in this opinion that no man who occupies the position of a teacher can avoid to a greater or less extent, though it may be unintentionally or unconsciously, influencing the moral character and trend of thought of the pupils who may be placed under his direction. He may not utter one word upon religious subjects, but by casual observations which will pass between himself and his scholars, by the example of his own life and in a hundred other ways, he exercises a powerful influence not only upon the character but upon the religious thoughts and feelings of the children in his charge. Entertaining

these opinions, I feel that it is a natural and praiseworthy desire on the part of any parent that when his child goes to school to receive a secular education, he should at least receive that education under the instructions of a teacher who possesses a Christian character and who makes a religious profession, and who believes in and practices in his life the principles of the Christian faith. At all events, in that way we acquire what is, in my opinion, a most important advantage in placing before the young people of the country, in the person of their teacher, the example of a Christian, which shall every day inspire in the minds of the children, respect and reverence for what is good and true. It may be said that this is a mere sentiment, and I believe it is claimed in some quarters that it is a weak and unworthy sentiment. I admit that it is a sentiment, but I entirely deny that it is either weak or unworthy. I believe it is one of the best and purest, as well as one of the strongest sentiments that can actuate or inspire the human breast, and one which is as sacred and deserves as much to be respected as the love of family, the love of home, or the love of country. I believe it is a sentiment which, in any Christian land or in any civilized community, will not be ignored; and I shall very much regret if we treat it lightly in any action which we may take in these legislative halls. For my own part, I would much rather see our action take the direction of cultivating and strengthening instead of weakening and destroying it. As I have said, this question is not properly involved in the matter upon which we shall be called upon later to pronounce, but I feel that it is intimately associated with the general subject, and I trust the House will pardon me if I have taken up some little time in expressing the opinion which I entertain. I am adverse to those who advocate unsectarian and national schools and who would exclude religious teaching and influence from our educational institutions, and I sympathize with those who desire that while their children receive the very best education which is possible to obtain for them in this country, they shall at the same time receive that education under the charge of a teacher who possesses a good Christian character and in schools which are to some extent—at least as far as the density of our

population and the circumstances of the country will admit—under the guidance and influence of the Christian churches of this land. There is just one other matter in this address to which I wish briefly to refer, and that is the clause which, near the close of the address, refers to the Intercolonial Conference at Ottawa, and the results which are likely to accrue in the form of aid from the British government towards our fast Atlantic service. I regard this as the most important subject which is referred to in the address. I have for a long time felt that we in Canada possess geographical advantages which should entitle us to a larger share of trans-Atlantic trade than we have been receiving in the past. We know that the traffic between America and Europe has already assumed immense proportions, and that under present conditions and with present facilities there is a constant tendency that this traffic and travel should increase, rather than diminish. Great as it is now we may expect that it will be much greater in the future. I have in my place in the other branch of the legislation supported the government in the policy which they have adopted and in the request which they have made to parliament for a subvention for this scheme. While the scheme is a practicable one, it is surrounded with a great many difficulties. We know that at the present time the great city of New York, the commercial metropolis of the republic to the south of us, has a practical monopoly of this traffic, and we know that she will not abandon her hold upon it without a struggle. I am ready to admit that in entering into this enterprise we place ourselves in competition with a most formidable antagonist, and it is for this reason that I have been willing, and am willing, to support the very large subsidy which the government is obliged to ask in order to secure this service. I do not propose, however, to discuss this subject further at the present time, for I presume that an opportunity will be given later to make some reference to the advantages which the Canadian route possesses, and the grounds upon which we base our hope that if this service is established we shall be successful in the competition for a very large portion of this trans-Atlantic trade. For the present I merely wish to express the gratification which I feel that the government of Great Britain has consented to aid us in the

matter, and that as the result we may reasonably hope that this scheme will be successfully consummated in the near future.

Hon. Mr. PRIMROSE—It is my intention to offer but a very few remarks at this time. In the first part of the address in reply to the speech from the Throne we find the statement made that the bountiful harvest with which Canada has been blessed is a cause for the deepest thankfulness. Surely any one would suppose that in a chamber constituted as this one is, there could be but one hearty amen to the expression of a sentiment such as this, but not so. I was very much surprised indeed at the attitude assumed by some hon. members and the language which they employed. I did not think that it was possible to evoke from such a sentiment anything in which they could be "Agin the government;" but it seems from what has transpired that should the heavens overhead be as brass and the earth underneath as iron, and the early and the latter rain be withheld, that would be the fault of the national policy. Should there be more rain than is required for the benefit of the growing crops, who is responsible?—the national policy surely. Should there be a bountiful harvest and prices rule low, not only in this country but in other lands also, who is responsible?—why, the national policy. Should there be a scanty harvest rendering prices high and causing the people to cry for bread, who is responsible?—the national policy it cannot be doubted. Should the exports of the country decrease, the national policy is responsible; but should the exports increase—well, let us see—it is not the national policy this time, but some adventitious or extraneous circumstances which have to be credited with that result. Should the imports increase they blame the national policy, but should they decrease they must resort again to the extraneous circumstances already mentioned. Nevertheless, the fact remains that we have had a bountiful harvest, and I think it becomes us to feel and express the deepest thankfulness to the Giver of all good. Further on in the address, in one of the paragraphs almost immediately succeeding, we have an expression by His Excellency of his opinion of the resources of Canada, especially of those of one of our great provinces. Anything that comes from so acute, so astute an observer as His Excel-

lency, apart altogether from the high position which he holds, is worthy of the respect and attention of all who hear him speak or who have the opportunity of knowing what his conclusions have been under the circumstances. Several hon. members in this House have in the past been very much inclined to follow the example of one of old time, and they, as representatives of that magnificent province, very justly magnify their office. In the future let us hope that they will have still further reason and justifiable cause to do so, when those resources are developed and utilized, upon a more extensive scale than they are at present. Reference is made to the Indian reserves and to the Indian industrial schools, and the Governor General gives his impression concerning them. All that we have to do in order to see how efficient the arrangements made by the government in regard to the conduct of this particular matter are, is to institute a contrast between the Canadian Indians and the Indians on the other side of the line, and we will conclude at once that the government have done well in the measures which they have taken in regard to this service. Then in regard to the education of the Indians, it is very well that every possible attempt should be made to secure the education of the Indian lads, but somehow or other the Indian nature does not seem to take kindly to education. I do not state this because I think that any effort which the government is putting forth in that direction should be relaxed—not by any means; but I have had some experience in this matter, and I have seen an Indian who had received an education sufficient to qualify him for one of our highest professions, and still after all he relapsed to the old style of Indian living and habits. Now in regard to the mounted police, last session something occurred to give me the impression that there was some idea of reducing the number of the force. I think that would be a very suicidal policy on the part of our government. The mounted police are a magnificent body of men; they have done splendid service to the country, such service as to attract not only the attention of our own people, but of other nationalities as well, especially our friends to the south of us; and it occurs to me at the moment that some steps should be taken in regard to those men who have spent the best years of their lives in this service, whether commissioned officers, non-commissioned officers or privates.

When the time comes that they are not so useful as they once were, and not able to perform their duties as efficiently as they once did, there does not seem to be any provision for them. I do not suggest what policy is best, but I think something should be done to provide for them when this occurs. I shall not say anything in regard to the Manitoba school question. It has been debated pretty fully already, and we shall have an opportunity to discuss it further by and by. Hon. gentlemen whom I am addressing will remember that I had the honour last year of moving the address in reply to the speech from the Throne, and that I gave great prominence to my ideas regarding the outcome of that grand intercolonial conference held here. I stated that I believed that it was the beginning, the inception, the first step towards securing great things for Canada, and for the empire at large. In the statement that we have before us to-day, we have the first fruits of that. I am glad to see in the address that the home government has consented to give a substantial subvention towards the proposed fast Atlantic service, and not only so, but that she has appointed a committee to consider the advisability of the Pacific cable scheme. Now, in regard to the fast Atlantic service, when this is completed, it seems to me, it will be somewhat like the circulation of the life-blood in the human system; that, as the life-blood pulsates from the heart to the extremest member, and gives life to the whole constitution and body, so in like manner when these fast steamers are established and connect with the Canadian Pacific Railway, running from one shore to the other, then from the great metropolis of the mother country will pulsate the blood of the nation in the shape of trade and commerce, to the extremest provinces in her dominion. And not only so; we do not confine our outlook to that particular phase; but in regard to the proposed cable, of what mighty moment and importance it would be in case of war, to be able to communicate at once from the seat of empire to the remotest point. I have only a few more remarks to make, and that is in regard to that little paragraph so modestly stated, and which has provoked so much discussion:

Your attention will be asked to measures intended to provide for the better arming of our militia and the strengthening of Canadian defences.

I do not see, hon. gentlemen, that there is the least scintilla of menace about that, nor do I hear the slightest ring of jingoism in it. It would be a most suicidal policy for the government to act otherwise. I think it becomes this government to have our militia, under existing circumstances, armed with the very best rifle extant, and the best ordnance that can be procured, and that without the slightest intention of menace to any nation whatever. In this I think we cannot do wrong in following the example of the mother country. We know of late that she has been very much isolated and thrown upon her own resources at a time when great danger has been threatened, and what has she done? She has done her very best to implement those resources to the best of her ability, to put herself on the best possible war footing. It is my firm conviction, as I believe it is the firm conviction of every honourable member in this House, that let the war cloud burst when it may upon our mother country, it will not seriously cripple her. I think the effect will be the same as the storm wind has upon her own native oak, which but strikes its roots the deeper, and spreads its branches the wider, that under its shadow the down-trodden and oppressed of all nationalities may gather whilst they speak in many languages, albeit with trembling lip and stammering tongue, the praises of that noble constitution and grand empire which had afforded them so safe an asylum. Surely we cannot be wrong in following an example set by the mother country. And I think, with all due deference to the gentlemen who differ from me, that it would be the wisest policy to arm our militia with the very best implements we possibly can and to act upon the motto which evidently she been the motto of England, "ready, aye ready." I will put it even stronger than that and take the negative form of expression, "never not prepared."

Hon. Mr. FERGUSON—In proposing to say a few words upon the address I feel that I cannot enter upon my observations without, in the first place, congratulating the hon. gentlemen who have addressed us for the first time in this debate. We have heard a good deal in the last few days about strengthening the government. We are all of us, in this House at all events, and I believe the country is also, interested in strength-

ening this hon. House and in seeing it strengthened, and I think from what we have heard from the mover and seconder of the address, as well as the hon. member from Westmoreland, and from what we know of other gentlemen who have been recently called to the Senate, that we will all unite in this opinion, that in the recent appointments to this hon. body this House has been very materially strengthened. I was glad to hear my hon. friend the leader of the opposition—whom I do not see just now in his place—admit that the harvest last year was a very good one. Indeed, he said it was a remarkably good one, and that considering the extent of this country and the variety of climate and the diversified methods of agriculture adopted in it, that it was rather a wonderful circumstance we had such a good harvest during the last year. This is certainly a blessing for which we all should feel devoutly thankful. My hon. friend, the senior member for Halifax, did not challenge the statement that the harvest had been a good one, but he doubted that there had been very much improvement observable in the condition of the country during the past year, and he said, in reply to a statement that was made by some hon. member, that if a decided improvement had taken place, as was stated in the speech, in the province of British Columbia, that no such improvement was observable in the eastern provinces of Canada. Now, I have to differ, and differ very strongly, from my hon. friend, who, like myself, comes from one of the eastern provinces, with regard to that matter. I contend that last year has been one in which we have seen all the activity and all the improvements claimed in the speech, and not merely in one portion of Canada, but in different parts of it. We have had this wonderful development of the mining industries of British Columbia, to which allusion has been made, and about which I think there is no difference of opinion. I have not the blue-books before me; they belong to the provincial government, as this mining industry is particularly under the management of the provincial government, but I am told on excellent authority that the output of the precious metals in British Columbia has increased during the last year from one million to about three millions of dollars, and I am proud to know that that extraordinary development is due in some small degree to a

bill that was passed in the House last year for encouraging smelting operations in that magnificent province. As a result in some degree at least of the provisions of that bill which I had the honour to present and explain to this House, three smelting establishments have been started in the Kootenay district, and the mining interests have been wonderfully improved and developed. I was pleased on the occasion, when that smelting bill was before the Senate to see the hon. member from New Westminster, after I had concluded my observations in explaining the bill, rise and say that it met with his cordial approval, and my hon. friend's utterances in regard to that question only confirmed the opinion I had always felt, that notwithstanding our liberal friends talk free trade as much as they do, there is a skeleton in the cupboard, in the case of every one of them, and my hon. friend from New Westminster, while he proclaims himself to be a free trader and opposed to the national policy, when a measure is introduced to this House which related to an important industry in his own province, at once sprang to his feet to say that it met with his cordial and hearty approval. There is no possible feature of our policy more distinctly protective than that of giving bounties to the iron industry and to the smelting of gold and silver in British Columbia. Then, again, as a proof of the statements made in the speech with regard to the increased activity and the development of the resources of this country within the last year, I can point to a statement made by my hon. friend from Shell River, which I was glad to hear him make, although I think I had learned the same thing before that during the last year the grain crop of the province from which he comes had reached the wonderful figure of 63,000,000 bushels. We have had the development in British Columbia of the smelting industry and here we have the great agricultural interest in Manitoba making such a wonderful leap to the front as it did during the last year, and we all know that in the older and greater provinces of Canada a good deal of activity has occurred. But my hon. friend the senior member for Halifax, denies that any increase or improvement has been effected in the maritime provinces. Now, I want to say just a word or two with regard to the dairy interest in the province from which I come. Only four

years ago the government of Canada undertook to introduce experimental dairying in Prince Edward Island. Up to that time some futile attempts had been made to start the industry, but, without success. One experimental dairy was put in operation in 1892, and the next year the number was increased to eleven, and the value of the output to \$48,000. The next year the number of dairy stations was increased to 16, with an output of \$90,000. The next year, 1895, 28 experimental stations were in operation, besides two creameries and an additional winter creamery now in operation, and the output has gone up to \$190,000—from nothing four years ago to \$190,000, and the best of it all is that that has been done through the good management of the government and the co-operation of the people, and the excellent men that have been put in charge under the government, and it has not cost the Dominion of Canada one dollar in the last year. The industry has been entirely self-sustaining. I think, therefore, that I may claim that the few facts to which I have referred amply prove the statement made in the speech of the Governor General that we have had increased activity in various branches of industry from the Atlantic to the Pacific during the last year. My hon. friend, the member for Shell River, discussed at very great length the question of our imports and the exports, and he pointed to the fact that last year, different from preceding years, we had imported less value of goods than we had exported, from which he inferred that our purchasing power was less, and that that circumstance and that alone had caused a less import of goods than we had exported from this country. Now I differ from my hon. friend altogether. I differ from him because I do not believe that the volume or the value of our importations affords a test, or the only test, of the purchasing power of the country. There are other considerations which must come in as well as that. We know very well that during the past year some articles, and important articles too, that we export from this country maintained their prices wonderfully well, in view of the great depreciation in values that had taken place all over the world about that time. We know that the products of our dairy, cheese particularly, commanded a very fair price. We know that our lumber commanded, not a very high price, but a fair price in view of the depreciation of value which had

taken place all over the world, and I know on the other hand that the articles we bought in foreign countries were depreciated to a remarkable extent. It is to these facts, that this difference is due, which causes the value of our importations to fall. My hon. friend said, in reply to a question of my own, that if a country exported largely and found that the articles which they wanted to buy were so cheap that they could buy them with less money than they could formerly purchase them, they would at once buy more. That is not my view of it. That is not what an honest man in the ordinary transactions of life would do. The first thing he would do would be to pay debts of the year before, and the next thing would be to put a little to his credit in the bank, and as soon as he was able he would commence to buy more as he felt his wants to increase. The result of our sending away a greater volume of exports in a certain year and being able to buy a larger quantity of goods in return than we bought in former years for less money than we spent before, would be that we would have a nice little surplus in our hands to pay the debts of years past, and like good housekeepers would do, we would then find in what direction we could extend our purchases in the year to come.

Hon. Mr. BOULTON—Does the hon. gentleman forget that we borrowed \$10,000,000 last year?

Hon. Mr. FERGUSON—That is a transaction which does not come into the trade relations of the country at all. We are discussing the imports and exports of the country, and a loan made by the government has not the slightest bearing on the question with which we are now dealing. My hon. friend, the senior member from Halifax, went into the question of surpluses and deficits, and he pointed to the fact that we had a large deficit last year, and stated further that that deficit was nearly as large as the accumulated deficits of the Mackenzie administration, during the five years that they were in power. That leads me to point out what those deficits were. In the year 1874-75, the Mackenzie administration had a surplus of \$935,644. The deficits were as follows:—

1875-76	\$1,900,785
1876-77	1,460,027
1877-78	1,128,146
1878-79	1,937,999

Deducting, then, the surplus of the year 1874-5 from the deficits, we have a net deficit of \$5,491,313, the average net deficit for the five years being \$1,098,000. Turning then to the sixteen years in which the Liberals Conservative party have been in power, I find that the total deficits amounted to \$15,792,104, including the deficit of four millions last year and including a deficit of five millions occasioned by the suppression of the North-west rebellion.

Year.	Surplus.	Deficit.
1879-80		\$1,553,227
1880-81	\$4,132,743	
1881-82	6,316,351	
1882-83	7,064,492	
1883-84	754,255	
1884-85		2,240,058
1885-86		5,834,571
1886-87	97,313	
1887-88		810,031
1888-89	1,865,035	
1889-90	3,885,893	
1890-91	2,235,742	
1891-92	155,977	
1892-93	1,354,555	
1893-94		1,210,332
1894-95		4,153,875
Totals	\$27,862,356	\$15,792,104
Deduct deficit ..	\$15,792,104	
Net surplus	\$12,070,252 for 16 years.	
Average yearly net surplus for 16 years	\$754,390	

The surpluses in the same sixteen years amounted to \$27,862,356. Deducting the deficits from the surpluses we have net surpluses during the sixteen years amounting to \$12,070,250, or an average yearly net surplus of \$754,390 during the Liberal-Conservative regime. I merely mention this as a reply to the statement which the hon. member from Halifax made to the House yesterday when he was commenting on what he considered the very serious deficit of last year. In connection with that I want to point out another circumstance which should not be lost sight of. When the Mackenzie government were in power, and when they were year after year accumulating the deficits which I have just read to the House, they were increasing the taxation. They raised the ad valorem duties from fifteen to seventeen and a half per cent, and notwithstanding this increased taxation during those years, which were years of depreciation in prices though not so great as ours—notwithstanding this, their deficits were greater year after year until they

went out of power. What have been the circumstances of the administration of the present government with regard to that? We know that the deficit of last year, and the smaller one of the previous year and which I am pleased to say is not likely to occur this year were due to a reduction of taxation. Had we maintained the duties on sugar, not at the rate which prevailed under the Mackenzie administration, but at the reduced rates which we ourselves put in force up to four years ago, there would have been a revenue of about \$12,000,000 which would have wiped out nearly all the deficits we have had during the whole period. I was glad, as I am sure all my colleagues were, to hear the very complimentary remarks which were made in this House with regard to the Indian service. It is a source of gratification to the Minister of the Interior as well as to all his colleagues in the government that this service has been the subject of such complimentary observation not only from government supporters, but from hon. gentlemen on the other side of the House. I travelled extensively some years ago through the North-west Territories, and I can add my compliments to those of other hon. gentlemen with regard to the usefulness and efficiency of the mounted police, I heard but one testimony with regard to their services throughout the North-west, from one end of those vast territories to the other. There is a question in the Speech from the Throne regarding which more interest is felt, probably at this moment than any other—I refer to the Manitoba school question. I do not think for one moment that it should assume greater importance in the estimation of the public than the trade question. It is one to which common sense, moderation and reason should be applied, and, if dealt with in that way, there would be very little difficulty in settling the question on a basis that would be satisfactory to all the people of Canada, but as the subject has to be dealt with here, we must express our opinions upon it and give the reasons for the course which each of us proposes to take. That remark applies to members of the government as well as to all other public men. The leader of the opposition in his speech on the address expressed the opinion that the Manitoba School Act of 1890 should have been vetoed when it was passed. The hon. gentleman has expressed that same opinion on more than one occasion in this House, and I am

surprised that he should do so in view of what has occurred since the passage of that Act. We know that there has been a judicial decision upon that Act and it has been declared by the highest tribunal of the empire to be *intra vires*. What good would it have done to have vetoed that Act? It would simply have prolonged the strife and intensified the difficulties which surround the subject. It would probably have been re-enacted under a strong conviction that it was *intra vires*. Then it would have been disallowed again and re-enacted, and so the question would have become so aggravated that finally it would have to be settled by the courts of law. A disallowance of the Act would not have settled the question, because it would have to be the subject of a judicial decision in the end. But my hon. friend says that it should either have been vetoed or sent to the courts at once. My hon. friend knows very much better than I do that there were very great difficulties in the way of sending that question to the courts at once in the state of the law at that time. It was impossible then to obtain a reasoned opinion upon an act. I shall read the statement made by the hon. Mr. Blake in 1890, giving his reasons for the resolution providing for a reference of the Manitoba school case to the courts:—

Our present powers, sir, are wholly inadequate for the effectual execution of the project in hand. There is no certainty—there is in ordinary cases rather an improbability—of our being able to reach the Judicial Committee of the Privy Council, the Supreme Court, and the imperial law officers, the machinery is extremely defective. There is no provision for the representation of the different interests; there is no provision for the ascertainment of facts; there is no provision for the reasoned opinion of the tribunal.

My hon. friend must have overlooked that very important fact, that in 1890 the government had not the means of getting a legal solution of that question, particularly a speedy solution or a satisfactory solution, and that a decision then obtained would have been of little value, Mr. Blake further says:

For my own part, I attach little comparative importance to judicial solutions, reached without argument, and announced without reasons.

During a discussion not many days ago some question arose as to what political leader is responsible for this method of sending cases of the kind for judicial solution to the Supreme Court of Canada. I

have taken the pains to look up the history of the New Brunswick school case, and I find that in 1872 the Hon. Mr. Blake made a speech in the House of Commons, in which he said:

He desired to give a practical suggestion as to what should be done. If any constitutional right were infringed, parliament had power under the 4th clause of the British North America Act to interfere, and he quoted the provision giving parliament the right to make remedial laws when necessary, and this, he maintained could be done, though the twelve months had elapsed. He suggested that the proper course would be to obtain the opinion of the law officers of the Crown in England, as to the right of the New Brunswick legislature to make the alteration in the school law which they had done, and if it was found that such legislation in every part of it was not in accordance with the constitution, then this parliament might pass a remedial Act to do justice to those who had been injured. This view might be proposed as an amendment by his colleague, the hon. member for Lambton, at a later stage.

This was Mr. Blake's declaration during the debate on Mr. Costigan's resolution in the House of Commons in 1872. He did not propose an amendment carrying out the views which he then expressed, but he gave notice to the House that the Hon. Mr. Mackenzie, member for Lambton, would move a resolution to that effect at a later stage of the discussion, and which Mr. Blake seconded. Mr. Mackenzie's resolution was as follows:—

That this House deems it expedient that the opinion of the law officers of the Crown in England, and if possible the opinion of the Judicial Committee of the Privy Council, should be obtained as to the right of the New Brunswick legislature to make such changes in the school law as to deprive the Roman Catholics of the privileges they enjoyed at the time of the union in respect to religious education in the common schools, with a view of ascertaining whether the case comes within the terms of the fourth subsection of the ninety-third clause of the British North America Act, 1867, which authorizes the parliament of Canada to enact remedial laws for the due execution of the provisions respecting education in the said Act.

Whatever credit or whatever blame may attach to this method of dealing with the question, it is plain, if you go back to what was done when the New Brunswick school law was before the country, that it was Mr. Blake and Mr. Mackenzie who suggested that a solution of the difficulty might be found by sending it for the opinion of the law officers of the Crown in England, or, if possible, obtaining a decision from the Judicial Committee of the Privy Council.

As a matter of history, we know that an opinion of the law officers of the Crown was obtained, and that they supported the view of the Minister of Justice, Sir John Macdonald, that the act was *intra vires* of the legislature of New Brunswick, and that the doubt which Mr. Mackenzie and Mr. Blake had expressed as to the possibility of obtaining a decision from the Judicial Committee of the Privy Council was proved to be true, as an opinion of that nature could not be obtained under the machinery that then existed for the purpose of sending such questions to the courts.

Hon. Mr. REESOR—The same Privy Council have decided the same thing in regard to the Manitoba law.

Hon. Mr. FERGUSON—I am coming to that. I have already stated that the Judicial Committee of the Privy Council—and I think it is a conclusive argument against the contention of the leader of the opposition—have decided that the Act is *intra vires*. That, to my mind is a conclusive reply to the censure which the leader of the opposition directed against Sir John Macdonald and his colleagues, because they did not, in 1891, disallow the School Act. But while, as my hon. friend points out, the Judicial Committee of the Privy Council have declared that the Manitoba School Act is *intra vires*, they have, by a later decision, declared that the Roman Catholic minority have a grievance, and although my hon. friend may not see it, and although I confess at first I could not see it myself, legal minds say that these two decisions are not inconsistent with each other.

Hon. Mr. REESOR—The members of the government divided very much as to what was meant.

Hon. Mr. FERGUSON—That is a very general remark, and I cannot see what the hon. gentleman refers to.

Hon. Mr. REESOR—The Queen's Privy Council did decide, when the bill was last before them, when Mr. Blake and Mr. Ewart were arguing the question, that the Manitoba legislature had acted within their rights, and that the Queen's Privy Council could not interfere with the laws that Manitoba had passed.

Hon. Mr. FERGUSON—We know that the first decision was that this Act was *intra vires*, and that they did not propose to interfere with it, but the Privy Council afterwards declared that under that Act a grievance existed, that a wrong had been done and that the right of appeal to the Privy Council of Canada remained with the minority under sub-section 2 of the 22nd section of the Manitoba Act and that the parliament of Canada would on a remedial order being passed be clothed with power to remedy grievance. I have read to the House that Mr. Blake's speech in 1872, and Mr. Mackenzie's resolution of the same year, and the position I take is this, that whatever right or wrong may be involved in sending this question to the courts, the suggestion to do so came in the first instance from the leaders of the Liberal party, Messrs. Mackenzie and Blake. It is true that the government of the day accepted that mode of dealing with the question, and I have looked at the debates of the House of Commons and I find that there was no division, that Mr. Mackenzie's amendment to the resolution moved by Mr. Colby, expressing regret at the nature of the legislation of the province of New Brunswick, was adopted by the House of Commons unanimously. Now we come to 1890, when the Manitoba School Act was passed. As we know, the hon. Mr. Blake, then a prominent member of the opposition, put himself on record by moving a resolution providing for a reference to the courts. In further reference to the view of the hon. gentleman from Ottawa, that the disallowance of this Act should have been effected in 1890, I wish to read what Mr. Blake said at that time, particularly as indicating whom he claimed he was speaking for. He said:

Those members who have long been here will well remember the New Brunswick school case, which was agitated for many years; in the course of which agitation I have hoped that some political aspects of that and of analogous questions were finally settled—settled, at all events, for the bulk of the party with which I act, and for the humble individual who is now addressing you. I regard it as settled, for myself at any rate, first of all, that, as a question of policy, there shall be no disallowance of educational legislation, for the mere reason that, in the opinion of this parliament, some other or different policy than that which the province has thought fit to adopt would be a better policy.

Hon. Mr. REESOR—Hear, hear.

Hon. Mr. FERGUSON—I observe that my hon. friend says “hear, hear,” and approves of what I have read. This is another instance of that remarkable unanimity and brotherly love which prevails in the Liberal party, for what I have been reading tends to weaken the position taken by his own leader the hon. member for Ottawa. I am glad to find that these sentiments meet with the entire approval of my hon. friend who has just interrupted me. I will now read Mr. Blake’s resolution of 1890 :

It is expedient to provide means whereby, on solemn occasions touching the exercise of the power of disallowance, or of the appellate power as to educational legislation, important questions of law or fact may be referred by the executive to a high judicial tribunal for hearing and consideration, in such mode that the authorities and parties interested may be represented, and that a reasoned opinion may be obtained for the information of the executive.

In speaking of this resolution, Mr. Blake said :—

My own opinion is that whenever, in opposition to the continued view of a provincial executive and legislature, it is contemplated by the Dominion executive to disallow a provincial Act because it is *ultra vires*, there ought to be a reference ; and also that there ought to be a reference in certain cases where the condition of public opinion renders expedient a solution of legal problems, dissociated from those elements of passion and expediency which are, rightly or wrongly, too often attributed to the action of educational bodies. And again, I for my part would recommend such a reference in all cases of political appeal—cases which necessarily evoke the feeling to which I have alluded, and to one of which, I am frank to say, my present motion is mainly due.

Mr. Blake was frank enough to say that the observations, he was then making were mainly due to what was going on in Manitoba, that is the passing of the Manitoba School Act of 1890. My hon. friend the leader of the opposition, deplored, as I am sure he sincerely did, the agitation and the ill-feeling which has been occasioned in this country over the Manitoba school question, and inferentially he tried to lay the blame at the door of the government, because they did not disallow the law, or because they did not obtain, as he says they should have obtained, a summary decision from the courts which would enable them, as he thought, to accomplish the disallowance of the Act. But while my hon. friend may be perfectly sincere in these declarations of regret over the intensified feeling so prevalent in the country, I wish that he were in his seat

before me that I might ask him one question. What I would have liked to ask him is this: is he a supporter of the policy announced in the province of Ontario at a great many meetings held not long since, by Mr. Laurier, his leader in the other house, that he proposes still further delay in dealing with the question? I would like to obtain an honest and sincere answer from my hon. friend to that question. If the five or six years of delay which has occurred while this question has been dealt with by the courts has intensified public feeling and done harm in that way, how can it be that the hon. gentleman can support Mr. Laurier in advocating still further delay which cannot fail to deepen the feeling of the public and work still greater injury to the country? I cannot for the life of me understand how my hon. friend can reconcile these two positions, that is if we are to understand that he has really taken refuge inside the lines of Torres Vedras with his leader. This leads me to say a word in regard to the leader of the opposition and his policy. I find that two or three years ago a very important political gathering took place in the city of Ottawa, a great convention of delegates from all the Liberal organizations in the various provinces of Canada. Nearly all their representative men came to Ottawa at that time for the avowed purpose of discussing important public questions and of formulating the policy of the Liberal party upon these questions. At that convention the policy of the party was determined upon, but in no part of that document which they termed their platform can we find any reference to the Manitoba school question. In view of what my hon. friend from Ottawa has said as to the intensified state of public feeling by reason of the delay which has occurred, we naturally ask why was it that no decision was arrived at at such an important meeting with regard to this question. I turn to the proceedings of the convention and I find that the leader of the party gave an explanation which I will read. He says :

Now it is my duty to refer to another matter which is an irritating subject because it touches questions of creed and race. I refer to the Manitoba school question. I have received several communications urging me to take a course upon that question. Different persons in the various provinces have asked me to take opposite courses. To them I have given no answer. I give it now, gentlemen. I wish the question were in any other

condition. Those of you who follow political events know that last session Mr. Tarte on the one hand and Mr. Dalton McCarthy on the other agreed that the government were a pack of cowards, that they did not deal with that subject in a manly way. For my part I spoke in the same sense.

They were agreed so far and I now say that the government acted in a cowardly way and did not dare to speak one way or the other. It was their bounden duty to say one thing or the other, but instead of acting like men of courage they allowed passion to be inflamed in Manitoba and Quebec and never dared to stand up like men and put an issue of the question. They are to be blamed for this.

There was in the opinion of Mr. Laurier no excuse at all for government not speaking out at that time. It was cowardly of them not to speak. Wait till we see why he says he did not speak himself.

They shunted the question to the courts where it is now.

When we remember that Mr. Blake's resolution which shunted that question to the courts was agreed to unanimously in the House of Commons, Mr. Laurier being present at the time and thus lending a hand in shunting the question, we may be able to judge the value of the statement that it was the government who shunted the question into the courts and who acted in a cowardly manner. What they did was done with the support and assistance of the hon. gentleman himself. He continued:

The opposition are not in a position to take any action.

Why, I would ask, were the opposition tied hand and foot, and their mouths sealed until a decision had been given by the courts if the government were cowards for not speaking out and declaring their policy under the same circumstances.

The opposition are not in a position to take any action until such time as a report has been given by the courts, and until the courts have decided whether or not the government have the right to interfere. Then, sir it will be time for us to say we will act or not. In my estimation it is not prudent now that the question is before the court to deal with it, because it would be appealing to prejudice which it would be better should be left aside.

Why was it so imperative on the leader of the opposition to keep clear of engendering prejudices, while on the other hand it was cowardly for the government not to make an issue of the matter, notwithstanding these same prejudices? I put these extracts

before the House to show that the hon. gentleman notwithstanding the declaration that he was ready to speak when the courts should render a decision, has proclaimed, after that decision has removed the question from the judicial domain and brought it fairly into the plane of politics, that he has taken refuge behind the lines of Torres Vedras. I must say that the course pursued by the hon. gentleman and his friends that is, if they follow him, is a most extraordinary one. But while the leader of the opposition declares that he is entrenched behind the lines of Torres Vedras in respect to this question, and that he has not assumed any attitude with regard to it, his attitude is nevertheless clearly and well understood, at least by his friends in Quebec. According to the reports published in the press of the Liberal party in that province, he has declared on probably a score of platforms that he is anxious to have the opportunity of redressing the wrongs of the minority. While in Quebec they interpret his speeches in that way—and I assume that his utterances are correctly reported—the *Winnipeg Tribune*, the organ of Mr. Greenway in Manitoba, contends that Mr. Laurier has put himself on record in the speeches that he has made in Manitoba as being opposed to any coercion whatever in regard to this matter.

Hon. Mr. REESOR—I understand he is opposed to coercion in any province.

Hon. Mr. FERGUSON—He certainly is not reported in that way in a very considerable proportion of the press of Quebec. On the contrary, his principal lieutenant, Mr. Tarte, who recently addressed meetings in the county of Westmoreland, formerly represented by my hon. friend who has just addressed the House, put himself on record, speaking for Mr. Laurier, that he was an advocate of the restoration of the rights of the minority. He had no hesitation in saying so in the French parishes in the county of Westmoreland, at least he was so reported by the Liberal press.

Hon. Mr. REESOR—Yes, but not by coercion.

Hon. Mr. FERGUSON.—Perhaps, then, by a commission to make a further inquiry as to the facts, in order to gain more delay which the leader of the opposition in this

House so warmly deprecates. I will allow my hon. friend to take whichever horn of the dilemma he chooses. His leader in this House deprecates the delay, which, he says, is intensifying feeling and doing harm to the country, while if my hon. friend who now speaks is right, the policy of his leader in the other House is to obtain still further delay. The Liberal party are pursuing a very dangerous course with regard to this question; but that is nothing new for them. They have played with fire, so to speak, many times during the history of the past ten years. We remember very well the Riel agitation, and the advantage which the Liberal party took of that question to endeavour to create bad feeling between the different races of this country. We remember also, a question which arose in the province of Nova Scotia, when the Liberal party in that province raised the flag of secession and treason to this confederation. Immediately previous to the general election of 1887, they unexpectedly dissolved the local house and went to the country on the policy of secession from the union. We know that in doing so they were playing with fire, and we know that they did it for the purpose of helping their friends in federal politics, for as soon as the federal elections were over, and it was apparent that they had failed, that the people of N.S., although carried off their feet by the secession cry, had recovered themselves and returned a majority of members of the House of Commons pledged to maintain the integrity of our confederation, they abandoned their attitude. Later on, this party played once more with political fire on the question of commercial union, a dangerous proposition and one which touched the ties which bound us to the great empire of which we form a part. We know that the Liberal party in their anxiety for power raised that question careless of consequences, though their attitude was calculated to sap the loyalty of the people and materially affect the interests of the empire; and I say now that there is the clearest evidence to my mind that collusion exists between the leader of the Liberal party in the province of Manitoba and the leader of the Liberal party in federal politics. The dissolution of the legislative assembly of Manitoba just in the few days which intervened between the summoning of this House and the consideration of the legislation which we are specially called together

to undertake, satisfies me that there is such collusion, and as a further evidence of this I may refer to the report which is current, and which has not been contradicted, that at a critical moment the Attorney General of Manitoba, the Hon. Mr. Sifton, came to Montreal and had an interview with Mr. Laurier. They parted apparently with a perfect understanding and the dissolution of the local house took place immediately afterwards.

Hon. Mr. PRIMROSE—Reference might be made to the Jesuits estates question.

Hon. Mr. FERGUSON—I might have referred to that as well; however, the charge does not lie so fairly against the party in that connection, because a large majority of its members took the constitutional view of that question. If they had done so, in regard to the other questions, it would have been very much more to their credit. I take the view that no government, or set of men charged with the responsibilities of government, can do anything else in the present juncture than apply themselves in the spirit of reason and moderation and justice to remove the grievances which the highest court in the realm has declared to exist on the part of the minority in the province of Manitoba. It is all very well for hon. gentlemen to say, as some have said, that while they admit that a grievance has been found to exist, and that the highest court in the empire has decided that this parliament has power to remedy that grievance, they take the ground that parliament is not compelled to do so. It think it is clear that parliament is not compelled to interfere. The government do very many good things that they do not under compulsion. They may not be compelled to remedy a wrong, but if they do not do so, they must accept the responsibility of their inaction. The right of petition has existed under the British constitution since the time of the petition of right, or perhaps we might go further back and say that since the time of the Magna Charta the right of petition has existed. From that time forward the recognized principle has been that if any one approaches the Crown, or approaches parliament with a just cause, and it is within the power of parliament to apply the required remedy, it is

the duty of parliament to do so. Hon. gentlemen cannot ignore the moral obligations, the equitable obligations which devolve upon the government, which devolve upon parliament, and every member of parliament, to deal with a question of this kind, and to deal with it properly. We cannot say "We may shirk our duty, and we may not do anything at all. We may fold our hands and say we will do nothing." The grievance has been proved by the highest court of the realm to exist, and the power to remedy that grievance has been declared by the same authority to exist in this parliament of Canada. However, we may go about it, it is clearly our duty to remedy that grievance, and if we do not do so we will assume a very grave and serious responsibility.

Hon. Mr. BOULTON—Without infringing upon the constitutional powers of any other province.

Hon. Mr. FERGUSON—Certainly not. That will be carefully guarded, and should be carefully guarded. Now, I almost forgot one matter, until my hon. friend reminded me. I was rather surprised at the speech my hon. friend from Shell River made yesterday afternoon in this House. I was surprised to find that my hon. friend appears to have taken altogether different grounds from those he put forward a year ago, when we had the pleasure of listening to a very long and lucid speech in this House upon this very important question. My hon. friend shakes his head, but I think when I refresh his memory by reading one or two extracts from the speech he made last year, he will, I think, come to the conclusion that he has either forgotten the position he took last year, or that he has entirely changed his mind. He said:

That is a question for the Roman Catholic minority to decide. They have put forth the claim that they have been deprived of certain rights, and we, as part of parliament, have to consider what were those rights, and how far they have been deprived of them, as well as how a remedy can be applied without impairing the constitutional power of the people or infringing upon the autonomy of the province of Manitoba.

Hon. Mr. BOULTON—Hear, hear.

Hon. Mr. FERGUSON—The hon. gentleman found a way of doing it without any of

this trouble. Let him wait until he hears what he proposed. "I say it can be done by compensation." If the hon. gentleman is right in the view he expressed last evening, that everything was smooth and serene and no harm done, what was he going to give compensation for?

All the Dominion government will have to do would be to make a grant in order to supplement the moneys lost to the minority through the contribution which they make to the municipalities.

My hon. friend had previously explained in that speech of his that the effect of the Act had been to compel a large portion of those who had supported separate schools to adopt public schools. He did not appear to think or believe that there might have been oppression, and almost persecution, in that, and that the compensation was only for those who had stood up against the oppression, and he thought that there were only about 35 schools that were entitled to compensation. He further stated:

As already stated, the amount that would be necessary in order to rectify the present position of affairs in order to make this wrong a right, would not exceed, so far as the Roman Catholic minority are concerned, \$10,000 a year. Now, I do not ask the people of eastern Canada to put their hands in their pockets and take out a sum sufficient to meet the requirements which have arisen in connection with this dispute, but I say that in the revenue derived from the public lands of Manitoba there is a source from which the necessary compensation can be drawn.

It is out of this source, I think, that a small compensation could easily be provided, in order to put an end to what otherwise might become a very grave dispute as between different sections of the Dominion which are governed more by their feelings than by anything else in regard to religious matters. A small sum of money like that which I have mentioned, is nothing in comparison with the harm and wrong that would be done upon the people of Canada by bringing on a dispute of this kind, or by depriving that western country of the constitutional powers and privileges to which they are entitled.

I just put those remarks of my hon. friend last year before him, in order that he may consider whether they are consistent with the statement he made last evening, that there was nothing wrong, no grievance, and that the circumstances called for no remedy.

Hon. Mr. BOULTON—If the hon. member would refer to the debates of last Thursday, he would see that I advocate the same policy exactly, and if I had not been interrupted yesterday in my remarks, I would have detailed exactly the same thing.

Hon. Mr. FERGUSON—I am delighted to hear that statement, because then the difference between my hon. friend and myself is not so wide as I thought it was. But I inferred from his speech last evening that he was prepared to take the position that there was no grievance that parliament was called upon to rectify, and I am delighted to find that it was his intention yesterday to put himself on record in the very same manner he did last year, and if he had done so, it would be found there was not such a material difference between my hon. friend and the government on this Manitoba school question. It has been declared again and again, and a great many people have been lead almost to believe the government were harsh and hasty in passing the remedial order of last year, and that the remedial order was imperative and peremptory in its terms, that it had no right to be as mandatory as it was. With regard to that, I have the opinion of those who have good opportunities of knowing that it was really necessary that that instrument itself should have been couched in the form of a legal instrument but even up to the time the Manitoba government received that remedial order, there was no reason why they should have refused to act in a conciliatory manner, simply because the instrument was couched in mandatory terms. It is within the recollection of hon. gentlemen that long, long before, even before the decision of the Privy Council was rendered at all, that the government of Canada had, in the most conciliatory manner possible, addressed themselves to the legislature and government of Manitoba, in order to prevail upon them to do something to remedy the wrongs of which the Roman Catholic minority in that province complained. It is also true that, in that despatch from the government of Canada which referred the remedial order to the government of Manitoba, there was the same kind and conciliatory and moderate expression with regard to this question and that, even if there should be any force or truth in the allegation which we so often hear, that the remedial order was too harsh, the government of Canada has, since that time, made it as clear as could possibly be, that they did not want to deal harshly with the province of Manitoba; on the contrary, they were deeply anxious that this question should be met in a spirit of conciliation, it might be even in the spirit of compromise, so that it might not be necessary for the parliament of Canada to pass any law bearing on the question of Manitoba schools. Whatever the present generation will say, history will record that the government of Canada proceeded in this matter from the very first with the greatest prudence and forbearance, and that after the long years that have passed, if there is any trouble or difficulty to come out of this question the fault lies at the door of the government of Manitoba, and those who are encouraging the government of Manitoba in the course they are pursuing; and it does not lie at the door of the federal government of Canada. It has also been alleged that the facts of this dispute have never been ascertained at all. That is the ground work and the basis of the policy that it is said the Hon. Mr. Laurier is propounding, and a reason for an investigation and inquiry. We have often heard that gentleman and his friends ridicule the government because they issued commissions. They said: "You are governing the country by commission," and they thought it was a subject of amusement. But here now, after five or six years of investigation, after the matter has gone through all the different phases, from one court to another, from one tribunal to another, after it has been considered in parliament one year after another for six long years, we hear them saying: "We are going to issue a commission." Well, it would be introducing government by commission in all its fullness, if any such course were pursued. But is it correct to say that the facts have not been ascertained? Is it not true that when the first case went through the Manitoba courts all the parties appeared that had any information to give, that affidavits were submitted, that public documents were produced, that every kind of evidence that could be possibly be elicited on the question was put before the court first hearing the case? An appeal was made. I suppose it is customary in matters of appeal to send all this evidence right forward to the court of final appeal; but it is true that the facts were ascertained, and it is utter nonsense for any man in Canada to say that the facts of this case are not understood. They are understood and well understood, and the time has come for settling this question, and settling it fairly and justly

according to the constitution of the country. My hon. friend, the senior member for Halifax, thought he would get in a shot at the government in connection with the Mercier regime in the province of Quebec by charging my hon. friend, the leader of the government with having invited one of the Mercier gang to the government since the last meeting of parliament—I refer to the Hon. Mr. Pelletier, the provincial secretary of Quebec. I have taken the pains to look into this matter, and I find, to my surprise, that that gentleman never was a member of the Mercier administration. I find that he was a Conservative and Nationalist, and joined with Mr. Mercier in the first year of his administration, supporting that government for a little while, that he gradually separated from it, and that he was in no way whatever connected with that administration at the time of the Baie des Chaleurs transaction. Therefore my hon. friend is entirely wrong in trying to connect my hon. friend, even in this very remote degree, with not feeling as strongly against the Mercier gang as he professed to from the fact of his having invited this gentleman to take a seat in his Cabinet. My hon. friend who raised this point must have been disturbed in his sleep, to some extent, by the company with whom he finds himself surrounded. Why is it that this question has been brought up, simply because Mr. Pelletier had been invited to take a seat in the Cabinet? Why is he so sensitive about it? Is it because he does not enjoy the political company in which he finds himself placed, with men who are steeped in the Mercier transactions and many other transactions of similar character. I think it must be that my hon. friend is not comfortable in the position in which he finds himself, with his leader, in the words of the late mayor of Montreal, associated with such a bad element as these people who are surrounding and who appear to control his actions in political life. When we find such a good man as the ex-mayor of Montreal, deploring in the bitterness of his soul such company as his leader was surrounded by, and when we find a liberal paper in Montreal, the *Witness*, joining with the mayor in such complaints, and when my hon. friend brings this up, we conclude that he is not much more comfortable than they are. In concluding my observations, I will say that I feel that this honourable House on both sides,

supporters of my hon. friend the premier as well as gentlemen who may not sympathize with the administration, will join with me in congratulating my hon. friend on the result of the late rather unfortunate crisis—it was an unfortunate crisis I admit—but of the results we have not much to be ashamed of. We find my hon. friend has been able to assert his right to govern by calling into his cabinet a gentleman who has so long occupied a seat in this House, and whom we all respect so highly, the Minister of Militia and Defence, and he has strengthened his government in an effective way by calling in Sir Charles Tupper, Bart., whose services will be invaluable to the country, and who will be a great help to my hon. friend the leader of the government in the good government of Canada.

The motion was agreed to.

THE STANDING COMMITTEES.

MOTION.

Hon. Sir MACKENZIE BOWELL moved :

That, pursuant to rule 79, the following Senators be appointed a Committee of Selection to nominate the Senators to serve on the several Standing Committees, namely :—The Honourable Messieurs Allan, Bernier, Desjardins, Lougheed, McClellan, Miller, Power, Scott, and the mover ; and to report with all convenient speed the names of the Senators so nominated.

Hon. Mr. McINNIS (B.C.)—Before that motion is put I desire to call the attention of the Premier to what I must believe is a slip, and a very serious one. A name has been omitted from that committee which was always prominently on the list since the committee was formed some three years ago. In looking over the list you will find that every province and even the North-west is represented on the committee. Heretofore my colleague has been a member of that committee, and British Columbia is the only province not represented in the list of names mentioned here. I think that it must have been the result of an oversight on the part of the leader of the House and the government. I find, on analysing the composition of the committee, that there are three from Ontario, one from Quebec, one from Manitoba, two from Nova Scotia, one from New Brunswick, and one from the Territories—nine in all.

Hon. Mr. DEBOUCHERVILLE—None from Prince Edward Island.

Hon. Mr. McINNES—I would suggest that the name of my hon. colleague be added, and if the committee is limited to nine, I would propose that his name be substituted for one of the others.

Hon. Sir MACKENZIE BOWELL—I assure the House there was nothing intentional in changing it. Until the hon. gentleman called my attention to it, I was not aware of the fact that the name had been left off; the only change that I made was to put the name of Mr. Desjardins on the list, he being a member of the government, in place of Mr. Angers. I have not the slightest objection to Mr. Macdonald serving; on the contrary, I should like to see an old experienced member like the hon. gentleman on the committee. Of course the number is limited to nine. We can strike out one and substitute Mr. Macdonald's name, I suppose.

Hon. Mr. ALLAN—I think it would be better not to do that, because it appears that as far as possible, gentlemen on both sides of the House from different provinces have been selected, and I think Ontario would be strong enough with two representatives; so if the hon. gentleman will withdraw my name, there will be no difficulty and Ontario will then have two representatives.

Hon. Sir MACKENZIE BOWELL—I have acted on the suggestion of the hon. member from York.

Hon. Mr. MACDONALD (B.C.)—The premier will remember that when the committee has been striking the other committees for the last two sessions they found great trouble in discharging its duty, and I think the rules should be changed so as to increase the number on each committee. Several members were on two committees and it was found very awkward.

Hon. Sir MACKENZIE BOWELL—I do not think the difficulty was in finding places for all the Senators of the House. The difficulty was that so many members were on more than one committee, some on three and some on four, and none of them

had any desire to be removed. If in striking the committees we lay down the principle that no Senator should be on more than a certain number of committees, we would have no difficulty. We have now a number of new senators and we must make places for them and keep within the rules, and therefore we shall be obliged to strike off some of the old names, and substitute the names of new members. I think we can meet the difficulty in that way, if we exercise forbearance, and relieve some of the members of the trouble of attending so many committees. That can be discussed in committee. The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Monday, January 20th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE LIEUTENANT GOVERNOR OF THE NORTH-WEST TERRITORIES.

INQUIRY.

Hon. Mr. PERLEY rose to—

Ask the government if His Honour the Lieutenant Governor of the North-west Territories is an officer of the government, and if so, has the government granted him permission to live in the city of Ottawa while serving in such capacity; also, if he is here now on leave of absence, and if so, for how long? Or if there is an administrator of the office during his absence; and if so, does such administrator get pay, and who pays him?

He said: Before asking the questions I wish to state in the most distinct and emphatic manner—and I am induced to do so from some remarks that I have heard since placing this motion on the paper—that I am not in any way actuated by hostile feeling towards Lieutenant Governor Mackintosh in making this inquiry. I am a friend of his and always have been, and I merely ask these questions in the interest of the people whose representative I am in parliament. I have no remarks to make at present; if I should have any comment to make it will depend entirely upon the answers I receive from the

government. If they should be unsatisfactory then I shall claim the indulgence of this hon. House to make some observations in connection with the subject.

Hon. Sir MACKENZIE BOWELL—The Lieutenant-Governor of the North-west Territories is an officer of the government. The ministry, desiring to avail themselves of Mr. Mackintosh's advice in the framing of the estimates for the North-west Territories and other matters pertaining to the government of the North-west Territories, granted that gentleman one month's leave of absence from the 20th December, 1895, for that purpose. Heresides at the Capital for the above named period, as a matter of course with the consent of the government. It has not been considered necessary to appoint an administrator.

Hon. Mr. PERLEY—I am quite satisfied for the present with the answers. I shall have another question to ask later on.

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, January 21st, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

SCHOOL ORDINANCE, NORTH-WEST TERRITORIES.

INQUIRY.

Hon. Mr. PERLEY rose to ask the Government:—

1. Are they aware that His Honour the Lieutenant Governor of the North-west Territories refused to give his assent to the School Ordinance passed by the North-west Assembly at its last session?

2. Was he acting on their advice in not assenting to the School Ordinance?

3. Is it possible for the Government, by Order in Council, or otherwise, to have such Ordinance put in force, and if so, will they do it?

He said: Any remarks that I may have to offer with regard to these questions will

largely depend upon the answers that I may receive.

Hon. Sir MACKENZIE BOWELL—I have the honour to state in reply to the questions put by the hon. member from Assiniboia, to the first question, Yes; to the second, No, but I think it better that I should read the report of the Minister of Justice which will give the best answer to the third question, which answer I may add was approved by the Privy Council on the 3rd day of January, 1896. The report of the Minister of Justice reads as follows:—

OTTAWA, December 20, 1896.

To His Excellency:

The Governor General in Council.

The undersigned has had under consideration a bill passed by the legislative assembly of the North-west Territories at its last session, 1895, received by the Secretary of State for Canada on the 29th day of October, 1895, intitled: "An Ordinance to amend and consolidate as amended the Ordinance respecting Schools," which bill was reserved by His Honour the Lieutenant-Governor for the assent of Your Excellency.

The Lieutenant Governor's report merely states that the passing of the bill by the Assembly took place on the last day of the session, almost immediately before the prorogation of the legislature and as he consequently had no opportunity of examining its provision he reserved his assent thereto.

The bill, as its title indicates, is intended to consolidate and amend the various ordinances respecting the schools of the territories. It relates entirely to the subject of education, and it was intended to go into effect on the first day of January, 1896.

By section 14 of the North-west Territories Act it is provided in effect as follows:

"The Lieutenant-Governor, by and with the advice and consent of the Legislative Assembly of the North-west Territories, shall pass all necessary ordinances in respect to education; but it shall therein always be provided, that a majority of the ratepayers of any district or portion of the territories or of any less portion or subdivision thereof by whatever name the same is known, may establish such schools therein as they think fit and make the necessary assessment and collection of rates therefor; and also that the minority of the ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein, and in such case, the ratepayers establishing such Protestant or Roman Catholic separate schools shall be liable only to assessment of such rates as they impose upon themselves in respect thereof.

2. "The power to pass ordinances, conferred upon the Lieutenant Governor by this section, is hereby declared to have been vested in him on the 7th day of May, one thousand eight hundred and eighty."

The bill reserved appears to contain the provisions with regard to the establishment of schools by the majority of the ratepayers, the establishment of separate schools and the liability to assessment

therefor which are required by the section quoted as a condition to the validity of the legislation. It will be observed that the Lieutenant-Governor has stated no question for consideration with regard to the constitutionality of the measure, and no representations have been made to Your Excellency from any other quarter that the Assembly has, by its enactment exceeded its authority.

Under the instructions which were issued to the Lieutenant-Governor he is required to take care that all laws assented to by him or reserved for the signification of Your Excellency's pleasure thereon shall, when transmitted by him, be fairly abstracted in the margin and be accompanied in such cases as may seem to him necessary with such explanatory observations as may be required to exhibit the reasons and occasions for proposing such laws, otherwise the Lieutenant-Governor has no instructions in any way effecting this Bill. It would seem, therefore, to have been intended that a measure of this character should depend for its effect upon the exercise of that authority which by the North-west Territories Act has been committed to the Lieutenant-Governor and Assembly of the Territories, and that the case is not one in which Your Excellency should be called upon to give effect to the legislation.

The undersigned is of opinion that the Lieutenant-Governor ought not to reserve the bill for Your Excellency's assent.

For the reasons stated the undersigned recommends that the Lieutenant-Governor be informed that Your Excellency does not propose to signify your pleasure with respect to the reserved bill or to take any action upon it. It will be for the Legislative Assembly of the Territories, if it so desires, to reconsider the bill and re-enact or reject it in its discretion. If the bill be re-enacted and assented to by the Lieutenant-Governor the authority is vested in Your Excellency to disallow the ordinance at any time within a year from its receipt by the Secretary of State, and the question as to whether the power of disallowance should be exercised could then be properly considered.

The undersigned further recommends, that a copy of this report, if approved, be transmitted to His Honour the Lieutenant-Governor for his information.

Respectfully submitted,

CHARLES HIBBERT TUPPER,

Minister of Justice.

I have taken the somewhat unusual course of reading a report, which was adopted by Council, in order that hon. gentlemen and the House and the country may be fully aware of the reasons which induced the Government not to interfere in any way with the bill, either by allowing or by disallowing it. I may also add that this has been the course pursued by the preceding government. If my recollection serves me right, a case from Prince Edward Island was treated in precisely the same manner. I know that a bill, passed by the local legislature of Ontario, was similarly treated, leav-

ing the local legislatures to deal with such questions as they deemed best in the interest of the territory or of the province, as the case may be.

Hon. Mr. PERLEY—I am very much pleased with the answer that I have received from the hon. First Minister. It will place the Government in a very much better position in the North-west Territories than they occupy at the present time with respect to this measure, because, I may say, they are blamed by the great majority of people in that country for the extraordinary course which the Lieutenant-Governor took, and which appears now so entirely unjustifiable, in withholding his assent from that bill. It was generally believed that he was inspired by the federal authorities to act as he did, and I am pleased to know that the Government are not guilty of that with which they have been charged, and that the fault rests entirely with the Lieutenant-Governor himself. Before proceeding further, I should like to ask the First Minister a question. It may be out of the ordinary course of things, but if it is one which he can answer, I do not think I am violating any rule of parliamentary etiquette in making the inquiry. I would ask the hon. gentleman if the Lieutenant-Governor of the North-west Territories has given to the Government here a statement of the accounts still remaining unpaid in connection with the North-west Territories exhibition? I have another question to follow, if they see fit to answer the one that I have put.

Hon. Sir MACKENZIE BOWELL—Has the hon. gentleman given notice of that question?

Hon. Mr. PERLEY—No.

Hon. Sir MACKENZIE BOWELL—I am not in a position to state positively. My impression is that there is no statement of that character, but if the hon. member will allow the question to stand until to-morrow I will try and get full particulars.

Hon. Mr. PERLEY—I have understood that there is no statement of the balances due to the different parties who helped to build and construct, and took part in the North-West Territories exhibition, and that there is a considerable amount of money still

due to those persons. I also understand that there is no recommendation thus far made by the Lieutenant-Governor that those bills be paid, or rather that any sum has yet been placed in the estimates to meet the balances still due to the different parties for the part that they took in carrying out the North-West Territories Exhibition. I learned from the Premier yesterday that the term for which His Excellency was to remain here has now elapsed, and therefore if nothing has yet been done in the way of securing an amount to be placed in the estimates to meet those expenses, the mission of the Lieutenant-Governor to Ottawa has been, to my mind, largely a failure. I was well pleased with a portion of the answer given yesterday—I was pleased to learn that the Lieutenant-Governor is an officer of the Dominion Government, because the federal authorities appointed him as an officer to hold the territorial fair and the Dominion Parliament granted \$25,000 for that purpose, which sum was placed in his hands. I am pleased to know that he is an officer of the Dominion Government, because the balance still unpaid in connection with that fair will be paid, inasmuch as the debts were contracted by one of their officers. I took some exception—not from any personal hostility to the Lieutenant-Governor—to Mr. Mackintosh having been charged with so large an expenditure of the public money and with so very important a task as that of holding the territorial exhibition. However, my advice to the then Prime Minister was not listened to and the Lieutenant-Governor was appointed to hold the fair last year. As I have said, Parliament voted \$25,000 in aid of the enterprise. In addition to that, the city of Regina granted \$10,000, which is a direct charge upon the corporation of that town, and is proportionately a larger tax per capita than \$1,000,000 would be on the city of Montreal or the city of Toronto. You can understand, therefore, the very large interest that those people took, and how much they had at stake in the success of that exhibition. Next we find a grant of \$5,000 made by the North-west Territories Assembly. This sum was taken out of the bare pittance which is supplied to them. They have barely enough to carry on the affairs of that vast territory. Every dollar of it is absolutely required to provide schools, roads and bridges, but so great was the desire of the North-west Assembly to assist the Lieuten-

ant-Governor in making the fair a success that they voted the sum of \$5,000, making altogether \$40,000 contributed from the three sources that I have mentioned. Then, again, it was reasonable to expect that we would get \$5,000 from gate money, from entrance fees and from the sale of privileges. After the exhibition was over, it was found that His Honour the Lieutenant-Governor had contracted debts far beyond this amount and far beyond any possible means of paying them. I say that was very wrong; it was most injudicious—I was going to say a dishonest act, but that would be too severe a term—for a man occupying the high and important position of Lieutenant-Governor to contract debts that he had no possible means in sight to pay. It was imposing on the credulity of the people who had done the work and performed the services for which these debts were contracted. Nevertheless, he did so, and at the last session of the Assembly, at which the Ordinance to which I have referred was framed, they voted another \$5,000 to help to pay the bills. If they had not done so, it is difficult to say what the result would have been to many a poor man in the country. This last grant makes \$50,000 altogether contributed out of the hard taxes of the people and out of the revenue of the country towards that exhibition, and still there is a large amount due. I have in my desk now an account of \$600 from one poor man who had advanced material and labour towards the exhibition, for which he had not received pay, though he justly expected to be paid the day after the work was done. It is rather a reflection on the Lieutenant-Governor that he has been here thirty days and we are yet unable to say that he has laid a statement before the Government, or had provision made in the estimates for the payment of the money due in connection with the exhibition. There is another point that I wish to make; the Lieutenant-Governor is not a representative of the people in the North-west Territories. He is a representative of the Federal Government. The people have no control over him. He is not responsible to them in the least, so far as I know or can judge: he is responsible only to the Government at Ottawa, and in that particular he has failed in a very grievous matter. I find, by the answer that I received to my inquiry yesterday, that the Lieutenant-Governor has been

here to advise the Government on the finances of the North-west Territories and other matters pertaining to the best interests of that part of the Dominion. I am a pioneer in the Canadian North-west. I went there in 1882 and I may say I went there with great misgivings as to whether I should be able for a long time to educate my boys there. I felt that it would be very difficult to find the means of educating them in that unsettled country. At first we had no schools, but three or four of us appointed ourselves trustees, hired a private teacher and paid him out of our own pockets to teach our children. The law existing in that country at that time was that there must be an average attendance of fifteen to constitute a public school and the parents of the children attending the school must pay the salary of the teacher. Then the teacher should make oath that he had received it all, and after a certain time one-half of the money would be refunded. That was the law under which the first school was established and I was a trustee of that school. In 1885 I had the honour of being elected a member of the North-west Council. We then framed an ordinance under which the Lieutenant-Governor, who was then the Hon. Mr. Dewdney, gave the money to representatives of the people to be expended. I hold that the system was right, although people all over the country complained of the one-man power; they thought that no one man should control the finances of the country but that the people should have a say in it. I admit that the people were, perhaps, rather impatient to have self-government while the population was so sparse, but still that was the opinion all over that country that we should have self-government. I may say, for the credit of Mr. Dewdney, that when I was elected a member of the North-west Council in 1885 the money that had been granted by the Federal Parliament for the purpose of education and for the construction of roads and bridges and for other purposes in that country, was expended through the advice of local members. Two committees were appointed, one on municipal matters and another on school ordinances. I had the honour to be a member of the school ordinance committee. When we organized we had \$30,000 for educational purposes. He said "you make laws providing for education and I will give you the money," and he did so. During

that session of the Assembly we memorialized the Dominion Government and I, with two other delegates, came here to present that memorial to the Government asking that the territories be granted representation in the Federal Parliament. I am happy to say that the concession was granted to us and we elected four members to the House of Commons and two senators were appointed. We thought that we should no longer be subject to one-man power, and that the people should have representation in Parliament and a voice in the affairs of the country. In 1894 there was a great drought in a portion of the North-west Territories, and our crop was a partial failure. Aid was required beyond the means of the local authorities to furnish it, and the government of the North-west Territories made application to a member of the Dominion Government to furnish the necessary assistance. I am told by the Minister of the Interior that the sum of twenty-five thousand dollars which, I think, was quite adequate, was promised for that purpose, and if they would go on and spend it out of moneys which they had, it would be recouped to them. The Lieutenant Governor and the Premier of the North-west Territories came to Ottawa last session and remained here, I think, about ten weeks. During that time they never conferred with one of us representing the North-west Territories in this Parliament. I am not sensitive on that point, because I think that my first duty is to serve the people who send me here. I met the Prime Minister, so-called—the head of the government in our country, we call him Premier, the Hon. Mr. Haultain—and said, "Now, Mr. Haultain, you know what you want here, how much money you require; if I can be of any service to you, let me know and I will give you all the assistance in my power." He thanked me very kindly, but never asked me for my assistance in any manner whatever, and I am informed by the members of the House of Commons, that they were treated in the same manner. The Lieutenant-Governor and Mr. Haultain failed to carry out what they came here for—that is, to get money to aid the settlers, and when Mr. Haultain was afterwards accused by his colleagues in the Assembly, last October, of not having accomplished the object of his mission, he explained that he had failed to get money because the representatives of the North-west Territories were

no good—that they had nothing to say on the measures going through Parliament. The organs of the North-west Government came out the next week and accused us, in the same manner, of having failed to look after the interests of the country. Now, I say that was unfair, in view of the fact that the Premier and the Lieutenant-Governor had failed to consult us when they were here. Notwithstanding the fact that we have four capable men representing the North-west Territories in the House of Commons, to say nothing of the Senators, they have not been, up to the present day, consulted with reference to the finances of the North-west. Mr. Haultain has with him in the North-west Assembly twenty-nine members, representing local electoral districts. The men come there with a full knowledge of the condition of the localities in which they live, and they are in a position to state the needs of those they represent. Therefore, the Premier of the North-west Territories is naturally in a better position than any one else to understand the needs of the country. The Lieutenant-Governor occupies a different position; he is not brought into contact with the representatives of the country as the Premier is. Therefore, I hold the Prime Minister should make out a statement and, great man though he is, should consult the representatives of the people from the North-west showing what he wants and why he wants it, and when he comes down here to Ottawa let him, even though it should humiliate him to descend to such a level, show the representatives of the North-west Territories in this Parliament what he wants and why he wants to get it, and then we would be able to work in harmony and go to the government and obtain what is required for our constituents. We are the representatives of the people of the North-west Territories, and a though I am not a very proud or haughty man, I stand on my dignity when a man who is in no way responsible to the people of the North-west is consulted and we are not. No question is asked of us, but the Lieutenant-Governor, an irresponsible man who has never shown any personal ability, is brought to Ottawa and his judgment taken in preference to that of men who live in the North-west and have forgotten more about it than Mr. Mackintosh ever learned. I feel rather sensitive in taking this stand, but when the Premier makes

the statement on the floor of the House, and it is published through the country, that the representatives of the North-west Territories in the Dominion Parliament are no good, I have no option but to speak. If we are only fit to go and look after the interests of individual constituents in the departments—if we have no more important function to perform, we can be of very little service here. I come back to the question before the House; as I have already stated, the North-west Assembly is composed of twenty-nine members, and, so far as I know, these men are selected with great care by the districts which they represent. We are more particular in that respect than the older provinces are. Here a man is selected from business connections or other circumstances which may not guarantee his ability; but in the North-west a man is selected because he possesses ability for the position. Those men, living away from railroads and from the centres of population, take the keenest interest in the education of their children. They sent representatives to Regina to frame an ordinance necessary to provide for the proper education for their children, and the fact that the ordinance was only passed on the last day of the session proves the great care which was taken in framing it. It was prepared under the supervision of the Superintendent of Education, and was framed with a due regard to working out the educational problem in that country. On the last day of the session an irresponsible man puts his veto on that law and deprives the people of a chance of educating their children. I am glad to see that the answer which the Premier has given throws the whole responsibility on the Lieutenant-Governor, who exceeded the limits of his duty and inflicted an injury to the people of the North-west Territories in withholding his assent to that ordinance. I do not wish to reflect too harshly upon the Lieutenant-Governor, but I want to put myself and my colleagues from the North-west fairly on record—we are not responsible for what has been done. We have never shrunk from performing our duty; we are always ready to serve on committees and give the Government the best advice we can tending to the development and advancement of that great country, but so long as we are over-ruled by one man who is not responsible to the people of the North-west—so long as the will of twenty-

nine representative men who have an interest in the education of their children can be thwarted by a man who knows little or nothing about the needs of the people, I say the system is wrong and the sooner it is changed the better.

Hon. Sir MACKENZIE BOWELL—I have very little to say in reference to the statement made by the hon. gentleman. I have some cause, however, to complain of the speech which he has made in dealing with facts and circumstances which are not before the House, and of which no notice had been given, to enable us to procure the information to which, under the circumstances, the House and the country are entitled. The subject which the hon. gentleman has discussed is so wide and so varied in its character that it would require much more time for proper consideration than I have at the present moment to bestow upon it. If the hon. gentleman had put another question to me in reference to the parties whom the government consults before coming to a decision as to the amount of money to be placed in the estimates for the North-west Territories, I could have told him that the Premier of the North-west, to whom he has referred and who represents, I may safely say, one of the most intelligent bodies of men considering their number that it has ever been my pleasure to meet for many years, is to be here to-night or to-morrow to consult with the Ministers, more particularly the one representing that portion of the country, on the very question which the hon. gentleman has with a good deal of earnestness and clearness, brought before us to-day. If it is any advantage for the hon. member to know, I can tell him that every year the Premier of the North-west Territories, through his treasurer, sends a statement of the requirements of the North-west government, and I may also add, so far as my experience goes, there has scarcely ever been a statement presented to the government that they have not found it necessary to cut down very largely. We recognize the importance of that portion of the Dominion and the necessity of extending to it, as far as the public revenues will justify, the greatest liberality that can be exercised; but it is well, while we are distributing the public money that we should be very careful to guard the interests of every section and not overburden one part

of the country in order to give to another section. That is all I have to say to-day with reference to the subject of consulting officials from the North-west Territories, further than this—that the Lieutenant-Governor for the time being of the North-west Territories is the direct representative of the Dominion Government in that section of the country, and it is to him and through him that they should seek information, as well as from the legislature. In other words, the constitutional mode of dealing with a question of this kind, is for the Premier and Legislature of each province to send their representations through the Lieutenant-Governor for the time being, because it is with him alone that we can properly deal in matters of the kind to which the hon. gentleman has referred. As to the point raised by my hon. friend, with reference to consultation with senators, that is something which I think is usually done as a matter of courtesy. Constitutionally it certainly does not devolve upon the Lieutenant Governor or those who have the particular charge of arranging the distribution of money in territories like those of the North west Territories to consult every one, or even any one, of the representatives unless they think proper to do so, but I readily admit the great advantages that always arise from consultations of that kind, because by that means you receive information and suggestions and hints that would not otherwise come properly from either the Premier or the Lieutenant-Governor. Hence I am surprised to hear, for the first time, that the representatives of the different portions of the Dominion have not been consulted upon important matters affecting their provinces. I was struck with the remarks which the hon. gentleman made in reference to the territorial fair. I am not so sure that he is strictly correct, nor am I prepared to admit as a principle that the government is bound, either in honour or in equity, and certainly not legally, to meet the debts which may be incurred by one of its officers, no matter for what purpose, providing those debts are incurred on his own responsibility and without the consent or approval of those who appointed him. All that we had to do with this affair is embodied in the item which granted the sum in aid of the exhibition. It was not conducted by the Dominion Government. The Dominion Government had nothing whatever to do with it—they simply placed in the estimates for 1894 an

item which reads as follows: "Contributions towards the North-west Territories Fair."

Hon. Mr. PERLEY—Who authorized him to hold the exhibition?

Hon. Sir MACKENZIE BOWELL—I suppose it must have been the Assembly of the North-west Territories, or the people of the North-west—I speak subject to correction. The facts are not before us, and that is why I complain that the hon. gentleman has introduced this subject without giving notice, in order that I could supply myself with the facts. Application was made for an appropriation to assist in holding the fair in the North-west Territories, and the Government acquiesced in the request and placed in the estimates the sum of \$25,000.

Hon. Mr. McINNES (B.C.)—By whom was the request made?

Hon. Sir MACKENZIE BOWELL—I think by the legislature, or the Lieutenant-Governor. That is one of the points that I am not prepared to answer.

Hon. Mr. PERLEY—I did for one, and so did Mr. Davin and others.

Hon. Sir MACKENZIE BOWELL—We had precisely a similar case with respect to a fair lately held at Sherbrooke, in the province of Quebec. We contributed \$10,000 towards holding a cheese and butter fair at Sherbrooke, but we never took any responsibility beyond that. The money was handed over to the parties interested, who had the management of it, and beyond that we knew nothing of it. Whether they were in debt or not after the fair, I cannot say, but even if they were, they never applied to the Dominion Government for any money to help them to pay their debts. There may be some difference with respect to the North-west Territories—that they are not governed in the same way as the provinces are—this is, that being territories their powers are not so wide as those of the provinces, which are governed under the system of responsible government, and therefore there might be an equitable claim on the part of the North-west Territories upon the Dominion Government in order to assist in the liquidation of that debt. They might base a claim upon the ground,

that they only receive a certain amount of money to carry on the affairs of the country and if, through mismanagement by a Dominion official, debts are incurred, their equitable claim would be greater. If the loss was through the directors or those who generally manage such exhibitions, then the question would arise whether there is any responsibility legally or otherwise. That is a point which has not yet been brought under the notice of the government, and therefore, they have come to no decision upon the subject. My hon. friend beside me (Mr. Ferguson) who was acting Minister of Agriculture when the subject came before that department, informs me that there are letters in the department with reference to the deficit which resulted from the holding of the fair. Whether there is a statement showing what the deficit consists of, neither he nor myself is in a position to state; but if my hon. friend will place a notice on the papers asking for the information, I shall be very glad to bring it before the House.

Hon. Mr. PERLEY—I had a notice prepared, but saw that notice had been given in the other House, and I did not put it on our paper for that reason.

Hon. Sir MACKENZIE BOWELL—A moment's reflection would have suggested to the hon. gentleman the propriety of not discussing the subject until the papers were brought down, so that we could have used them in this House though not submitted here. The course of the government has been not only consistent, but fair in all matters affecting the North-west Territories. Let me say one thing for the Lieutenant-Governor in reference to this ordinance: I asked His Honour the other day, after the notice had been placed on the paper by the hon. gentleman from Assiniboia, why he had not given his sanction to the ordinance after it was passed. He had told me himself that the people were under the impression, more particularly since this school question has been under discussion, that it was another case of interference on the part of the Dominion Government with what was solely and purely a local matter and I wished to correct the misapprehension. He told me that the ordinance had only been placed in his hands within a few minutes of the time when he was to prorogue the House,

and that he had not time even to look at its contents to ascertain whether there were any clauses which might be considered as *ultra vires*, or not strictly within the limits of their power, and that, after consultation with the Premier, Mr. Haultain, and with his consent, he withheld his assent to the ordinance.

Hon. Mr. PERLEY—I am very glad to hear the explanation.

Hon. Sir MACKENZIE BOWELL—I give that explanation to the hon. gentleman and to the House for what it is worth. I have no reason to doubt the veracity of the Lieutenant-Governor, nor do I say he was right in proroguing the Assembly before he had an opportunity of examining each bill to which he was asked to give his assent. I have furnished the hon. gentleman with all the information that I have in my possession. If there is anything else to which he will call my attention, I shall be glad to reply.

Hon. Mr. LOUGHEED—I wish to ask for information. Do I understand the hon. gentleman that the Government has absolutely committed itself to the repudiation of the liabilities in excess of the expropriation made towards the North-west fair, or is the matter still under consideration?

Hon. Sir MACKENZIE BOWELL—No, I did not say that. I stated that the question had not yet come before us, either as to our liability, equitably or otherwise, and consequently we had come to no decision.

Hon. Mr. LOUGHEED—I did not say that my hon. friend absolutely repudiated those liabilities, but his remarks led me to conceive that there might possibly be a repudiation of them. What I desire is this, that the most favourable consideration should be given to this question, inasmuch as it involves a very large sum of money which is owing to many deserving individuals in that part of the country, and they certainly look to the Dominion government to pay the liabilities which have been contracted by an officer representing this government in the North-west Territories—the one through whom communication passes from this government

to the North-west Government, and who apparently would be responsible to the Dominion Government for all such acts performed in the territories. I do not purpose entering into a discussion to-day on this subject, because my hon. friend from the territories has indicated that he will put another notice on the paper, and I anticipate that the government will give us information which is desirable, so that there may be a proper ventilation of the whole subject.

Hon. Sir MACKENZIE BOWELL—Does not my hon. friend think that he is using too strong a word when he say “repudiation?” He should establish the liability first. My hon. friend may claim that I owe him, but if I refuse to pay him, it is not repudiation until he first establishes that I owe him. There must be an obligation before there can be a repudiation.

Hon. Mr. LOUGHEED—I fancy if there is no liability it is not necessary to repudiate.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, January 22nd, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE STANDING COMMITTEES.

MOTION.

Hon. Sir MACKENZIE BOWELL presented the report of the select committee appointed to nominate Senators to the select standing committees. He said:—In allotting the different members of the Senate to the various committees, we established the principle, in all cases, where it is at all practicable, of confining each member to three separate and distinct committees. We were induced to take this course from the fact that the rule limits the number for each committee and we found that to carry out the old principle of allotting the older members of the Senate to the various committees—some to three, some to four, and in some cases to five—it prevented the placing upon

committees some of the new members and those who in the past have not attended very regularly. It has been suggested, since the report was prepared, that some Senators would prefer being removed from one committee to another. I informed those gentlemen that it would be better to submit the report as it was drafted by the committee, and during the time that will elapse between the adjournment and the re-assembling of the Senate, they will be able to make the exchanges on the different committees in accordance with their wishes. I deem it advisable to make this explanation in order that the Senate may understand the principles on which the committee have acted in drafting the report. I move that the report be taken into consideration on the 5th February next.

The motion was agreed to

PILOTAGE IN THE BAY OF FUNDY.

INQUIRY.

Hon. Mr. DEVER rose to—

Inquire as to what action the Government intend taking on the Report of the Government Commissioners, Captain W. H. Smith, R.N.R., and Captain Bloomfield Douglas, R.N.R., on the pilotage question of the Bay of Fundy, and the Port of St. John, now that that port is being made the winter port of Canada, for lines of steamers carrying valuable cargoes of freight, from that port to the British Isles, fortnightly?

He said: Hon. gentlemen, the notice which I have on the paper to-day, I wish to explain, is one relating to the pilotage of the Bay of Fundy, and the winter port at St. John. In both these matters the people of St. John take a deep interest, as may be seen by the action of their Board of Trade and ship-owners, of that city. I assume also, hon. gentlemen, that you are interested in those undertakings. Because without a well appointed winter port, the requirements of this Dominion would be incomplete and you would be subjected to great inconvenience in getting the superabundance of your harvests and other property to the markets of the world during the winter season. This now is all changed, and we present to you a winter port,—not second to any other—from Halifax to New York. And to show you, hon. gentlemen, that I am not going beyond the bounds of facts in this statement, with your permis-

sion, I will present to you the written declarations of the most experienced navigators and pilots who have sailed the Bay of Fundy and harbour of St. John, some 30 others, 40 or more years. I will show to you by them that the waters of those localities are free from ice or any obstruction that might interfere with the navigation of those places at any season of the year. And as the settlement of this question secures to you for all time to come the outlet of the shipping wealth of Canada, and also likely that of the western states of the United States, through this Dominion. I feel I have your sympathy in all honest efforts to show that our port ought to be the winter port and that the Bay of Fundy is a highway as safe for all ships and steamers of any class, if not safer, than any other on the coast of North America, at any season of the year. My authorities to substantiate those statements, hon. gentlemen, are from reports of committees and other documents got up with great care, and presented to the Board of Trade of St. John, and are as follows:—

As an evidence of the opinion entertained by underwriters of the safety of the navigation of the Bay of Fundy, we are authorized in saying that the agents in St. John for marine insurance companies are taking risks from St. John direct to Europe at the same rate of premium as from Halifax, Nova Scotia, and from Boston and Portland, thus minimizing the dangers of the Bay, which have been made such a handle of by parties who are interested in disparaging the character of our port.

The coast all along from the entrance of the Bay of Fundy to the harbour of St. John is so thoroughly protected by fog-whistles, automatic whistling-buoys and lighthouses, that it must proceed from the greatest carelessness or unseaworthiness (unless in very exceptional cases), that a vessel should go ashore or even touch bottom. From the entrance to the Bay of Fundy at Machias Seal Island by way of the north or west channel, and at Briar Island, on the south channel, to the harbour of St. John, vessels do not lose the sound of one fog-whistle or automatic buoy until they catch the sound of another, and the soundings by the lead are so regular and the anchorage so good, especially at the entrance of St. John harbour, that danger is reduced to a minimum, even in the thickest weather. Pilots state that they dread more to enter Boston or Portland or Halifax harbours during a fog than they do St. John, and vessels bound to New York, Boston and Portland have sometimes to lie longer outside those harbours for tide than at St. John; and when foggy weather prevails, it is generally as dense (if not more so) at Portland and along the coast of the State of Maine as it is in the Bay of Fundy. In winter, fogs are very rare. They are more frequent in the months of June, July and August, but seldom continue so thick for days in succession as to preclude seeing land in the Bay,

and neither fog nor snow prove a bar to delay to steam vessels, the navigation of the Bay being so simple—there being no treacherous shoals or rocks in the way from the mouth of the Bay to the Port of St. John. We may instance the steamers of the International Steamship Company, which have plied between St. John and the port of Boston for a period extending over a quarter of a century, making three and four trips per week, each way, for part of the year, and two trips each way, per week, in winter, carrying an immense number of passengers and very large quantities of freight, and never lost a single life in all that time on that route. During the past thirty years passenger steamers have been running between St. John and the western part of Nova Scotia, and during all that time not one was lost, thus proving that neither fog nor snow interfere with steam vessels in their passage to or from the harbour of St. John, where proper care is taken.

IN THE MATTER OF ICE.

Your committee may confidently assert that there is not a port north of Cape Hatteras so entirely free from ice as St. John is. The ice which forms on the St. John River and its tributaries terminates at the Narrows, some three miles above the falls, which are situated about a mile above St. John harbour, and is completely debarred from escaping into the harbour by the Narrows, so that there is no shell or anchor ice in the harbour in fall or winter, and in spring the thick heavy ice of the river is thoroughly rotted before breaking up and coming through the falls, and any remnants of any considerable size are thoroughly pulverized in coming over the falls; and as to the formation of ice within the harbour, it is impossible, owing to the great rise and fall of the tide. Again, there is never any field ice in the Bay below this port. This can hardly be said of any other port on the coast north of Baltimore; in fact there is no port north of Baltimore, including Philadelphia, New York, Boston, Portland and Halifax, that has not been frozen over, and had vessels cut out of the ice in them, except St. John. Shipmasters and owners of vessels, therefore, may be fully assured that no damage can be sustained from river, harbour or bay ice, in navigating the Bay of Fundy, or in the harbour of St. John. Under the accumulation of evidence which your committee have been enabled to place before the Board, they feel that they

MAY SAFELY ASSUME

1st. That the navigation of the Bay of Fundy, from its mouth to St. John, is remarkably simple and free, whether by the south or west channels; so much so, that pilots prefer making the port of St. John in bad weather to any other port on the coast.

2nd. That the fog or cold vapor never occasions delay of steam vessels in summer or winter, and that there is never the slightest obstruction from ice.

3rd. That Atlantic steamships need make but one straight course from their regular track to Portland and Boston up the Bay of Fundy to St. John.

4th. That the south channel, opening into the Bay, is 18 miles in width at the narrowest part, expanding rapidly to 35 or 40 miles of unobstructed deep water navigation, which holds good all the way up the Bay to the mouth of St. John harbour, where superior holding ground can be found; or giving clear sea room, of say 35 by 50 miles, to a stranger who might not feel confidence to enter our port in a storm.

5th. That both the largest war and merchant ships have visited our harbour, except the "Great Eastern," and that she could easily have been accommodated.

6th. That the port of St. John, in so far as navigation is concerned, is not only "one of the safest" but actually "the safest port," summer and winter, all the year round, north of Cape Hatteras.

APPENDIX No. 13.

(This statement from Capt. Chas. Taylor, Harbour Master of St. John.)

The St. John Board of Trade.

GENTLEMEN,—I was about twenty years a pilot in the Bay of Fundy. I have brought many steamships up the Bay of Fundy in the summer time; not many in the winter, as during the time I was pilot steamships did not come regularly from seaward in the winter, with the exception of the Allan Line. I would have no hesitation, as a pilot, in bringing any of the largest mail steamers to the port of St. John all through the year, summer or winter, but would prefer the winter, the atmosphere, as a rule being more clear then. With a steamer drawing twenty-seven feet of water, the harbour of St. John can be entered about half flood. I consider a large ship safe at the railway wharf in any weather. I consider the corporation pier, however, a safer wharf; the depth of water at that wharf is thirty feet at the south end and twenty-five feet at the north end, twelve feet from the pier. I consider the anchorage at Partridge Island, at the mouth of the harbour, excellent. The channel could be dredged to a sufficient depth for ships of any draught of water at low tide. I consider the John Robertson wharves well suited for permanent wharves for steamers of large size, and a very suitable wharf could be built at Sandy Point, Carleton, by adding to the present, there being twenty-seven feet at low water spring.* I consider the holding ground in the harbour to be very good. The steamer "Kansas" loaded at the railway pier, about three years ago, and she drew twenty-seven feet. At this time there were nine steamers in the harbour at one time, two of them respectively of 5,276 tons and 5,146 tons, and the other seven from 1,500 to 3,000 tons each. I consider the navigation of the Bay of Fundy as easy and as safe as any place I know of; the running courses are few and simple, and the very few obstructions are hardly worth mentioning.

CHARLES S. TAYLOR,

Harbour Master.

*This has been done.

APPENDIX No. 14.

This Statement from Richard Cline, one of the St. John Branch Pilots.)

ST. JOHN, 7th January, 1887.

The St. John Board of Trade,

GENTLEMEN,—I have been about thirty-nine years a St. John pilot, and have been in the habit of taking charge of steam and sailing vessels outside of Briar Island, at the mouth of the Bay of Fundy. I have brought many steamers of the Anchor Line and others from Halifax, and some from New York, and I have brought many ships of war, both British and United States, into the harbour of St. John. I was pilot on board H. M. S. "Northampton" drawing twenty-six feet, from Halifax here in August, 1878. We harboured at Liverpool, N. S., Flagg's Cove, Grand Mann, Bliss Harbour, and Digby, and from thence to St. John, and then back to Halifax. The weather was thick most of the time. I had no difficulty. At the time of the Trent affair I brought several troop ships in here, boarding them in Halifax. I had the "Jura," the "Calcutta," the "Australasian," the "Adriatic," 5,555 tons, and many others were here that winter, brought in by other pilots. Thirty years ago last summer, I piloted the U. S. steamer "Mississippi" from Eastport here; she drew twenty-two feet; the weather was thick; there were no fog alarms in the Bay then, and we got along well enough, although the weather was thick. I also piloted the American ship "Great Republic," the largest merchant sailing ship ever built. We sailed up the Bay and into this port, and came to anchor in the harbour without a tug. About three hours flood would be the time to enter the harbour with a ship drawing twenty-seven feet, and the same applies to Boston and Portland, Me. The navigation of the Bay of Fundy compares most favourably with other ports and places where I have been. If a ship of deep draught of water arrives off the harbour and has to wait for the tide, she can either anchor outside Partridge Island with safety (the anchorage being excellent) or she can lay off and on, there being plenty of sea room. I would rather approach St. John in bad weather than any other port along the coast. During the time I have been pilot, I have myself brought in two hundred steamships and have never had an accident with one of them. The aid of a tug is not necessary either in entering or leaving the port with steamships. The land of the Bay Shore is high, and one can always see it over the vapor occasioned by extreme cold weather. It can generally be seen also in foggy weather by going aloft. The soundings are good from Cape Sable into St. John, and one could come in during the densest fog by using the lead. The whistles are good and numerous, but when they cannot be heard, a pilot or captain can come up by soundings, which are very regular. From the usual track of Atlantic steamers bound to Portland and Boston, the navigation of the bay by the south channel is plain and simple. It is a straight course from Briar Island to Partridge Island, say sixty miles. In fact, those steamers, by keeping on their regular course towards Portland and Boston a few extra miles west of Cape Sable more than is necessary to enter the bay can then turn and make one straight course to Partridge Island, at the mouth of St.

John harbour, and this without any obstructions within twenty miles of the line sailed after entering the bay. The south channel is broad, being eighteen miles wide at its narrowest part, which is at the entrance of the bay, between Briar Island and the "Old Proprietor," so called. From this point inward it immediately widens to thirty-five or forty miles, which width it holds good all the way to St. John without obstruction of any kind. When piloting sailing ships out of the harbour I never anchored at the island to await a chance on account of fog. I always went on, thick or clear, and would work my ship out south channel, even beating out all the way if wind was ahead. I do not consider the tides dangerous by any means, but one must, of course, have some knowledge of them when entering the bay. From Briar Island up, the tides are very regular. There is never any ice in the harbour to interfere with or injure ships. There is never any field ice to contend with in the bay even in the severest weather. There is about eighteen feet of water in the main channel eastward of Partridge Island at low water spring tides. This could be easily dredged if desired. It would be cut clear by the tide if the breakwater was extended to the island; that would make one of the most comfortable harbours this side of Europe.

RICHARD CLINE.

APPENDIX No. 14.

(This letter from Samuel Rutherford, pilot for the Bay of Fundy and Harbour of St. John.)

To the Committee of the Board of Trade:

GENTLEMEN—I have been 34 years a pilot in the Bay of Fundy. I have been to sea altogether 42 years, and have brought large steamers of heavy draught of water into the Harbour of St. John. Vessels of this class can enter about half flood. I consider the navigation of the Bay of Fundy quite safe in the winter time—the weather being then clear as a rule. I do not consider that vapour renders navigation unsafe, as it is very seldom so high as to obstruct the view of the land—it only prevails during northerly winds, and is of short duration. When coming here from Halifax I have often taken charge from that port. I have often brought ships through the channel between the north-west ledge and the "Old Proprietor," by the lead, and have not seen the land. I consider the holding ground off Partridge Island to be as good as any known. The bottom in the main channel on entering this port is gravel and mud, and could be dredged for large ships; the average depth of water off the custom house, at low water springs is ten fathoms. I consider the harbour of St. John easy of access in any weather, as the courses from Cape Sable to St. John are few and very simple, and can be run with ease, ordinary care being observed in thick weather to keep the lead going. The soundings being very regular and pronounced, and the Bay of Fundy being admirably provided with light houses, fog whistles and automatic buoys, makes the chance of loss or damage very small indeed. I consider the harbour of St. John and its approaches compare very favourably with any other harbour on this coast as they never freeze over in winter, which cannot be said of any other harbour north of Hatteras.

SAMUEL RUTHERFORD.

The next, and last point, I wish to establish, hon. gentlemen, is to make the winter port a non-expensive one for all steamers and ships frequenting it. This we must do in part, so our merchants say, by changing the present law regarding the pilotage system of the bay. I therefore ask the government what action they intend taking on the Report of the Government Commissioners, (Captain W. H. Smith, R.N.R., and Captain Bloomfield Douglas, R.N.R.,) on the pilotage question of the Bay of Fundy, and the Port of St. John, now that that port is being made the winter port of Canada, for lines of steamers carrying valuable cargoes of freight, from that port to the British Isles, fortnightly?

Hon. Sir MACKENZIE BOWELL—In this matter of the pilotage question at St. John, to which the hon. gentleman has called the attention of the House, two commissioners were appointed to proceed to St. John and take evidence under oath on this important question, and the evidence and the report of the commissioners were considered of sufficient importance to have them printed, and copies of the report were furnished to the Pilotage Commissioners, the Pilots and the Board of Trade, in order that the question might be thoroughly understood, but the matter of the report and the evidence is still under the consideration of the Government. The hon. gentleman well knows that it is one of those questions which affect numerous interests, and therefore requires to be carefully dealt with, and where a decision has been arrived at, that it should be such as to be in the interests of the harbour and the city and the trade generally, both as regards the removal of the restrictions which interfere with trade, and also with the rights of those who have been engaged in that employment for so many years. I am glad to know, I may add, of the success which has attended the attempts to make St. John what we in Canada have been desirous to have established ever since Confederation, that is, a Canadian winter port, in order that the trade of the great west may find an outlet at one of our own ports, instead of having to cross the line to a United States port. The best evidence, I think, of the safety of the harbour of St. John is the fact that at the present time there are no less than four lines of the largest class of vessels that are navigating the ocean, which find safety in going

into that harbour; and what is of equal importance, the facilities which have been offered by the railways, are of such a character as to enable them to find full cargoes every time that they have left the port. That is gratifying to the western portion of Canada I am sure, and I can only hope that as the trade develops, we can show to the world that we have the means of exporting our surplus produce without going to the other side of the line to find a winter port.

IRRIGATION IN THE NORTH-WEST TERRITORIES.

INQUIRY.

Hon. Mr. PERLEY rose to

ask the Government if they intend to make any provision toward assisting the settlers in the North-west Territories to secure a water supply for farm purposes?

He said: I shall depart from the ordinary procedure in asking this question, inasmuch as I would request the Premier not to give his answer to-day. I make this request because I know the manner in which those answers are generally given. Since I put this notice on the paper I have not had an opportunity of meeting the hon. gentleman personally with a view of impressing upon him the importance of this subject. I hope the hon. gentleman will, in the interests of the North-west Territories, invite the representatives from that portion of Canada to meet him some day before the estimates are completed and ascertain their views on the subject of this notice. This is a very serious and important matter—more important to the North-west Territories than any other which has been brought to the notice of the Senate since I have had the honour to occupy a seat in this House. We know that the Government has been endeavouring in many ways, and at the expenditure of large sums of money, to settle the North-west Territories, but it is a well known fact that the principal means of encouraging immigration into the North-west Territories and keeping the settlers there, is to make those who are settling in the country contented and prosperous. Unless that is done, and so long as the people who are settled in that part of the Dominion are surrounded by difficulties with which they are unable to cope, you cannot expect population to flow into the Territories as rapidly as we would all desire. The first pro-

blem to be solved is the procuring of a sufficient water supply. It is true that at Calgary there is no scarcity of water. It comes down from the mountains, and there is abundance to be had in wells and for purposes of irrigation, but in the central portion of the Territories the settlers find it very difficult to secure a reasonable water supply to carry on their business as farmers. It is a matter of very great importance to the people of that country, and as I have said, unless the problem can be solved by the government, there will be no rapid development and settlement in those territories. The territory of Assiniboia is, in my opinion, as fine a section of country as can be found in Canada. The soil is rich and fertile and capable of producing grain of all kinds. With the knowledge and experience that our farmers have gained by twelve years of practical farming in that country, they can raise as good crops as can be produced anywhere. The main difficulty that we have to contend with is the deficient water supply. Even with an insufficient rain fall, we can produce fair crops. It is done by a system of summer fallowing and tilling which we did not understand when we first went to the country, but which we have learned by experience. I have no fear for the future of the country now, and I may say that the Canadian North-west Territories would be as free from summer frosts and from the difficulties incidental to farming as any portion of Canada if we had only a sufficient water supply. We have two or three methods of getting water in that country. We have, running across the country from east to west in the vicinity of Assiniboia, the Qu'Appelle River, and further south the Souris River, and from these rivers we have ravines extending back into the country. Wherever these ravines cross a road allowance, the local authorities build dams which hold a certain portion of the spring freshet water produced by the melting of snow and the spring rains. In that particular, nature has favoured us, because we can build a dam in a very different way from anything of the kind in other parts of the Dominion. We have merely to dig away the sides of the ravine and haul the earth to the middle until we form an embankment a certain height. The earth packs and holds the water which accumulates above it. As I have said, we build a dam wherever a road allowance crosses

a ravine, and in other places the farmers of the locality build without assistance and are glad to be able to procure a supply of water that way. That dam will hold enough water for stock purposes. The farmers can dig a well nearby, and the water filters into it, and thus they get a supply for household purposes, but back from the ravines the soil is of a peculiar character, without any water in it. The soil is so compact that you can dig down 100 feet in it, with an opening only three by four feet wide. If you do not strike a sand or gravel bed in that distance, you will find no water. In the summer of 1882, a neighbour of mine dug a well with an opening three by four feet and 100 feet in depth, and then he was killed by an explosion of gas in the bottom of the well. That accident has intimidated the people so that they do not dig to such a depth, but still they frequently dig down 50 or 60 feet. We have in that country a boring machine, which is rather unsuited for the purpose—so much so, that the people of the North-west call it a gimlet. With this machine, they bore down in those dry places, and they may bore to a depth of 60 feet and strike a thin stratum of sand, and next morning find 10 or 15 feet of water in this little hole, and the man thinks that there is plenty of water there, but it is only a little soakage which is of no practical account. The settler, having full faith and hope in the ultimate success of his efforts, digs down 50 or 60 feet, only to find that he has no permanent supply of water after all. Now it is very important that this problem should be solved. The poor people of that country cannot possibly afford to dig wells here, there and everywhere, as many have already done, on the bare chance of securing water. I am personally acquainted with farmers, who have dug down to a depth of 100 feet but who has been forced to give up the search. It is quite true that there are plenty of farmers who have an adequate supply, but there are just as many more who have not, and who are obliged to haul water from one to five miles. My next neighbour has driven his cattle since the 1st October last two and a-half miles to get water, and every day he is obliged to descend into a valley 200 feet deep in order to reach it. A man would almost be in danger, if he were to drive over his land after dark, of falling into one of the half dozen holes which he may have dug

in the course of his search. I claim that the North-west Government is in a different position with regard to this matter from other local governments. The governments of other provinces have not to contend with such a difficulty, or at least not with one of so great an extent; but in any event they have the power to raise money for the purpose of making tests, while the North-west Legislative Assembly, which is not a full fledged responsible government, cannot create a debt in order to raise money for such a purpose. Inasmuch as the immigration business is a part of the policy of the Dominion Government, and in view of the fact that a considerable portion of the revenue of the country is contributed by the settlers of the North-west, I think it is only just that the Federal Government should take into consideration the advisability of removing this difficulty in the path of further colonization, so that when they ask a man to come to the country they may be able to assure him of a plentiful supply of water. I propose that the government should place a small sum of money in the estimates, say \$20,000, a trivial amount compared to the great benefit which would accrue from its expenditure. I do not care whether they undertake to manage this vote themselves or hand it over to the North-west Government, so long as proper boring machines are procured and satisfactory tests are made. North of where I live, there is a large German settlement and not long ago I received a letter from one of the residents in which he said that a number of his neighbours would be obliged to leave on account of their failure to obtain water. I can name half a dozen men living within three miles of the town where I reside, who haul their water from the Wolseley Dam, as it is called, to water their horses and cattle and for all the other purposes of the farm. The man living next to me, who, I have already mentioned, is still hauling water two and a half miles to supply 45 head of horses and cattle. Every day of his life he either hauls this water or drives his cattle back and forth over that distance. Now, no man can possibly succeed who has a task like this imposed upon him. I know this from personal experience, for during the first year I farmed, I hauled water for four months for part of my stock a distance of two miles. That took me two and a half hours each day but I persevered, for I knew the difficulty in my

case was only temporary, having located a farm elsewhere on which there was a plentiful supply. We have a number of German settlers in that district, industrious, frugal men, who know how to work. In their vicinity are four lakes or rather holes in the prairie from 50 to 100 acres in extent, and these men are hauling water from these lakes ever since the 1st of October last for the sole supply of two townships. These men may dig a well here and there as far down as they dare go, but they have not the means to employ adequate machinery and they find themselves obliged to stop work so I think there is no method in which a small sum of this kind could be spent which would be more beneficial than by providing proper and sufficient boring machines which will penetrate to the required depth. If a man cannot get water he has no recourse but to leave the land, and I must say that I wonder at the staying powers of some of these settlers who have held on for four, five and six years in the hope of hitting upon a supply of water as it were by chance. These men have lived, or rather starved out an existence, in hopes of being able to succeed, but they have failed as I am aware from my own personal observation. There is no possible expenditure which this or any other government could make which would be as beneficial to the North-west and to the whole of Canada, for it is only in proportion as we in that country progress that we are able to buy implements and clothing from eastern manufacturers. We feed the population of the east, and we buy of them, thus creating a large circulation of money; and I believe it is in the interests of the country generally that assistance should be given in this matter. I hope the Prime Minister will arrange to meet the members of the other House representing the North-west, and I will accompany them, if desired, and talk the matter over with a view to meeting the difficulty in the method I have named.

Hon. Mr. BOULTON—I wish to say a few words in support of the motion which the hon. member from Assiniboia has brought before the House. I have lived for fifteen years on the boundary between Manitoba and the North-west Territories. To the west of me is a large German settlement, which was brought out by the efforts of the Government some six or seven years ago. They were placed on the line of the Manitoba

and North-western Railway, on the west side of the Assiniboine River, and in a district in which there is a great underlying bed of blue clay. This clay is very deep, and it must be penetrated before water can be obtained. I am aware that in many other parts of the North-west Territories the same difficulty prevails. On the east side of the Assiniboine, where I reside, there is no difficulty in getting water at a depth of from 12 to 20 feet. It is merely a matter of pumping; but even to pump water for forty or fifty head of cattle, is no slight task in the winter, and sometimes it is necessary, during dry weather, in the summer time. In some localities, there is absolutely no water, unless you are able to penetrate through this enormous bed of clay, and that is beyond the ability of individual settlers. The Dominion Government being interested in placing settlers there, and being largely interested in the lands of the North-west, should, I think, make some effort to assume the cost of the work, and to demonstrate that water is obtainable in ample quantities. After that, when the population has grown somewhat and is better off, the municipalities or the Provincial Government might undertake the work, but in the present stage it would be advisable for the Dominion Government to come to the relief of the settlers who were placed there on their representations. I think that this question is one that should be taken up by the Immigration Department, which forms a part of the Department of the Interior. I believe a large vote is given annually for purposes of encouraging immigration, and I am quite satisfied that no more profitable use could be made of a part of that appropriation than to spend \$25,000 or \$30,000 in two or three localities of the North-west to prove the feasibility of obtaining water. As the hon. member from Assiniboia says, the best immigration agent the country can have is the man who is doing well himself. He is the man who is most interested in procuring neighbours and if contented he will make greater efforts than any one else to secure them. There are some very fine Danish settlers who have come into my neighbourhood. There is one family in particular, consisting of ten persons, fine, strong, healthy people, who come from the very centre of the great dairy districts of Denmark, and they are very capable workers. I got a letter from the

head of the family lately, saying that he was going to move to Dakota, and one of the chief reasons he gave was the lack of neighbours. He is not troubled for water, but of course if there is a lack of water there will naturally be a dearth of neighbours. I could mention many instances of this kind. I know that one-half, at least, of those Germans who were located at considerable expense by the Dominion Government have left the country partly on account of the reasons I have mentioned, and partly because of the cost of transport of their produce and the additional cost of living under protection. However, the question of water, it is quite evident to every one, is one of very great importance indeed, and it is only by the exertion of the government's powerful influence that the proper measures can be taken in order to show the municipalities how plenty of water can be obtained at the least cost.

Hon. Mr. LOUGHEED—While I am heartily in accord with the remarks made by the hon. gentleman from Shell River and the hon. gentleman from Wolseley, I desire to point out to this House how important it is that strictly accurate information should be given in regard to these arid tracts in the North-west. It would be very injurious to the best interests of that great country that an impression should get abroad that there are large tracts of these fertile plains which lack water. It is almost unnecessary for me to point out that there are millions of acres of fertile land in the North-west Territories splendidly watered, and in which very little difficulty is experienced in obtaining a plentiful supply for all practical purposes. I am fully aware of the truth of the statements made by the hon. gentlemen who have preceded me, that there are localities in which the settlers have been debarred from making that progress which they naturally would anticipate in a new country on account of the difficulty which has been experienced in securing the needful supply of water. But while I can corroborate the remarks made in that relation, I do desire that this House should be fully aware of the fact that the aridity spoken of is not general. It would be a very disastrous thing indeed if the information were to be disseminated that the people of Manitoba and the North-

west Territories are generally in want of water for the conduct of their farming operations. The district in which I live is splendidly watered, and we fortunately have not laboured under such disadvantages as those which have been indicated by the two hon. gentlemen who have spoken; and I could also point out other thickly populated settlements in the Territories, as well as in Manitoba, in which no difficulty has been experienced in securing an ample supply of water. But as I said in the beginning of my remarks, I am heartily in accord with the remarks made by the hon. gentleman in reference to a full inquiry being made in reference to those particular localities in which the difficulty mentioned has been experienced, and it certainly would be in the best interests of the country should the government make inquiry in the manner indicated, and hear the representations which the members from those particular districts are prepared to make to them in this regard. I however desire to have it understood that the district which I have the honour to represent is more fortunately placed than those localities referred to by my hon. friend from Shell River, and my hon. friend from Wolseley.

Hon. Mr. BOULTON—I do not wish to be misinterpreted. The district I have referred to is not suffering from aridity—not in the sense that it is so dry that it will not grow crops. It is a splendid country, known to grow some of the finest crops that have been grown in the North-west Territories this year. It is not a question of the growth of crops or vegetables or anything of the kind at all, but it is the difficulty of getting down deep enough by the individual labour of a settler to where the water lies. The water comes down from the Rocky Mountains beyond where the hon. gentleman from Calgary resides, and it flows underneath the ground, and penetrates and finds its level in Lake Winnipeg, and finally finds its outlet to the Hudson Bay; but this water in some locality flows underneath these deep clay beds, and in other places it flows on the top of them. Now where I am it flows on the top of them, and it can be readily reached within 12 or 20 feet. But there are these localities which have been referred to, and that fact is no disparagement to the country and no reason to warn people against coming to the country, provided there are these facilities given

that the hon. member for Wolseley speaks of. I am not one of those who think we benefit our country by hiding from the gaze of the world difficulties we may have to contend with. We do not want to attract people to that country by glowing accounts of its condition which cannot be borne out by actual facts when they come there. We want people to come there of their own accord. One volunteer is worth a dozen pressed men, and I have not the slightest difficulty in recommending all who wish to make a change, whose families have outgrown the localities they are in, to come and reside in almost any portion of the North-west, and they will be able to make themselves a comfortable home. Where the government locates a settlement it becomes its duty to assist that settlement to overcome physical difficulties at least until those settlements are strong enough to deal with them.

Hon. Mr. PERLEY—I believe the North-west Territories will justify our giving a fair report of it. I stated distinctly that there were only certain portions in which the settlers found difficulty in getting an ample water supply, and I did the hon. gentleman from Calgary the justice of saying that his district was not in such a bad condition. I wanted to pass him over lightly, but I understand they have no water except what comes down from Bow River and the other rivers in that locality and is distributed by an irrigation process which is very expensive on the settlers. I am here to tell the plain truth, even if I am a blatherskite.

Hon. Mr. POWER—That is unparliamentary.

Hon. Mr. PERLEY—I said that in certain sections of the country there was very little water, and I think it is better to have the government spend a little money in procuring a little water than to have the people dissatisfied and have them leave. Of course, we have difficulties in almost all parts of Canada. The settlers I spoke of came from my hon. friend's district and settled in Wolseley, and I can prove it. I say that there are some sections in which it is difficult to get water, and the men are too poor to pay for it. I say this above board and I am not afraid that the country should know it.

Hon. Sir MACKENZIE BOWELL—Fortunately for me the hon. gentleman asked in the beginning of his remarks that I should not give a reply to his question.

Hon. Mr. PERLEY—I do not object to his doing so.

Hon. Sir MACKENZIE BOWELL—I do not intend to occupy the time of the House at any length, but I fully realize the necessity for doing all that is possible, not only in the North-west Territories and Manitoba, but in all the sections of the country, to make each section as attractive as possible to all those who desire to find a home in it. I do not know that I need go beyond my own province to point out the hardships and difficulties which many of the older settlers had to encounter when they first went into the northern sections of the country, which were densely wooded at that time, without any means other than their axes upon their shoulders or a little flour, which would last them a short time, going into the shanties and working for the lumbermen during the winter, in order to get a supply for the summer's operations. Yet I can point to many a man who is working his three or four or five hundred acres of land, with stone houses and barns upon it, living as comfortably as I am sure my hon. friend does at Wolseley, and they commenced in the way which I have indicated. There are among those who are listening to me, I have no doubt, men who know many cases where the settlers have had to undergo the same trouble, the same experiences and the same privations. Now I hesitate not to say, in my little study of the action of the government,—all governments since Confederation in reference to the North-west and Manitoba and that section of the country—that they have spent more money, proportionately, in that section than ever has been spent elsewhere in Canada in the way of preparing a country for the homes of industrious people. I do not complain of that. On the contrary, I think that the future of this country depends in a great measure upon the settlement of that country with hardy industrious people, and if there is anything we can do in the way of expenditure of money by which that could be accomplished consistent with its revenue, I agree with the hon. gentleman that it should be done; but I must confess I was a little surprised at

the remarks of one hon. gentleman—I think it was the hon. gentleman from Shell river—when he said they were leaving that portion of the country for Dakota. It has been our boast in the past that the people of Dakota, on account of the many privations that they have to undergo, and the annual drought in that country, have had to emigrate into our North-west Territories. I can assure the hon. gentleman it is the object and the policy, not only of the present government, but I trust of all governments that may succeed us, to do all in their power, consistent with the revenue of the country, to promote the settlement of the North-west Territories in every possible way. It is very questionable whether the suggestion made by the hon. member from Assiniboia is the best to adopt in order to accomplish the object he has in view. The Department of the Interior at one time owned and operated two well boring machines in the North-west which were utilized for the purposes mentioned in this motion. In 1889, however, arrangements were made to hand them over to the North-west Government, under the belief and with the hope that they could operate these boring machines and procure water for the settlers, being upon the spot, at a cheaper rate than we could, and that it would prove much more effective than if the matter remained in the hands of the Dominion Government. These boring machines remain under the territorial control and management. In 1893 the Parliament of Canada made another appropriation for the purpose of additional machines of the best and most approved type, and with the appropriation so provided, the territorial government did buy and has since operated these machines, and it is understood to accomplish to a certain extent the objects which this government and also the territorial government had in view. There can be no question, however—and it would be folly to deny—that in portions of the North-west Territories and Manitoba, as in other portions of the Dominion, it is difficult to obtain water except at a very great expense. It is equally gratifying to know that in some portions of the North-west a system of irrigation has been adopted which has proved of the most beneficial character. I have, during the last summer, had the pleasure to visit one of these large irrigated estates. I am not a very tall man, it is true, but I had what is termed a “plug” hat

on, and when I went into the wheat field on that irrigated land I heard the remark made that the Premier was lost in the grain. They could not see me. Now that is an illustration of the natural productiveness of the soil and the benefits arising from irrigation. Two or three tons of hay to the acre and much larger yields of cereals were grown on that farm. I may say, however, that even the wheat, and barley, and oats, which stood over six feet high, were principally used in the green state for the purposes of feeding cattle during the winter. Now that is the beginning of a system which will prove to the world that that country is producing all kinds of cereals at a profitable rate. To show hon. gentlemen how desirous the government is of rendering every possible facility to private parties who carry on this system of irrigation, I may say that it is not more than a fortnight ago that we consented to make a certain exchange of lands in the North-west, south of Fort McLeod. The railway company held certain sections of the country. They were selling some 500,000 acres of land to settlers, who were forming a company for the purpose of irrigating the whole of it; but they said, "you own the intermediate sections, and therefore we shall be benefiting your property, unless you will allow us to exchange that land for land adjacent to it, but which would not be benefited by the large expenditure of money necessarily incurred in constructing irrigating works." The government were anxious to have it established beyond a doubt that a system of irrigation could be provided and successfully operated over a large section of the country, and though it might be objected that we should have taken advantage of the improvements which the settlers and this company were about to make, or that we should have sold the lands instead of making the exchange, we found the company could not go into operation successfully unless we made that concession. In the interest of the policy which the hon. gentleman has indicated, the government did make the exchange, which I think the country will justify when they know the whole facts connected with it. I have made this short explanation in the hope that I may be enabled, after an interview which I shall be very glad to have with the hon. member and the Minister of Interior, whose duty it is more directly to deal with questions of this kind, to adopt some system by which the whole of the

country, if possible, could be irrigated and put in a state in which settlers could live upon it; but I do hope that every little failure in the North-west Territories and in Manitoba, is not to be blazoned forth to the world as a reason why immigrants should not settle in that country. Ontario and Quebec never would have been settled if every man who happened to go into the northern part of the country—as my father did, without a stick being cut on the farm, where he had to hew out a livelihood for himself—made an outcry about the hardships of the pioneer's life. There is no comparison—I say it advisedly—between what the original settlers in the eastern and central portion of Canada had to endure and the difficulties encountered by the settlers in the North-west. The latter have facilities which the others never had. They have means of obtaining a livelihood that no man in the older parts of Canada enjoyed until he had, after years of hard labour and privation, cleared his farm and made his improvements. I shall not extend my remarks on this subject, but I hope my hon. friend's fondest hopes may be realized, and that the settlers in the district which my hon. friend represents may get all the water they need.

Hon. Mr. PERLEY—When I asked the Minister of Interior about this matter, he distinctly told me that they could not do anything and that is my reason for asking the hon. gentleman not to answer to-day so that we might have a quiet talk over it.

Hon. Sir MACKENZIE BOWELL—The quiet talk would have been very good before the hon. gentleman made his speech. However, we can have the quiet talk now.

Hon. Mr. PERLEY—I made inquiries, but could get no satisfaction.

AN ADJOURNMENT.

Hon. Sir MACKENZIE BOWELL moved—

That when the Senate adjourns to-day, it do stand adjourned until Wednesday, the fifth day of February next, at eight o'clock in the evening.

The motion was agreed to.

BILL INTRODUCED.

Bill (B) "An Act respecting Loan Companies incorporated by special Acts of the Dominion of Canada."—(Hon. Mr. Aikins).

DELAYED RETURNS.

INQUIRIES.

Hon. Mr. McINNES (B.C.)—I desire to call the attention of the First Minister to an address that I moved on the 13th June last, praying that copies of all correspondence that passed between the City Council of Victoria, B.C., the Board of Trade of Victoria, and the members representing that district in the Dominion Parliament and the Postmaster General, with respect to the provisional allowances made to the letter carriers and certain of the post office clerks, should be brought down at as early a date as possible. I inquired two or three times before prorogation last summer. Parliament was in session five or six weeks after I made the motion, and it had not been brought down. I trust that between the present time and the reassembling of this House, it will be placed on the Table. I have very good reasons for believing that the correspondence is not very voluminous; in fact, any clerk could prepare it in the course of an hour or two. I hope the Premier will take a note of it, and have it on the table when we meet on the fifth of February.

Hon. Mr. BOULTON—I should like to remind the leader of the House that he has not yet brought down the return which I asked for last session with regard to grain shipped to Fort William and graded into the elevator; the grain shipped from Fort William and graded out of the elevator; the nationality and the destination of the vessels that carried it. I asked for that return twice last session, but it has not been brought down yet. When it is brought down I should like to have included in it the same information with regard to the year 1895.

Hon. Sir MACKENZIE BOWELL—I shall make inquiry as to whether these returns have been prepared, and if they have not, will endeavour to have them brought down at the earliest possible moment.

Might I ask the hon. member from Shell River if there was not some reference made to this return last session—an explanation that it was difficult to obtain the figures as asked for by him?

Hon. Mr. BOULTON—I did not hear it. I cannot conceive of any difficulty. There is an inspector there for the purpose of inspecting and grading the grain. It is put into the elevator and graded, and it is graded out of the elevator, put on vessels and shipped. The object of the return is to ascertain how far mixing reduces the quality of the grain of the North-west Territories and why it is diverted in its carriage from Canadian channels.

RAILWAYS ACT AMENDMENT
BILL.

SECOND READING POSTPONED.

The Order of the Day being called—second reading Bill (A) "An Act to amend the Railway Act."

Hon. Sir MACKENZIE BOWELL said—Would the hon. gentleman allow the second reading of this bill to stand over until after the adjournment? I have not had time to look into the effect which it would have upon the present Railway Act, or whether the amendments which he desires to make are met in any way by the law as it now stands upon the statute-book.

Hon. Mr. McCALLUM—Certainly I can have no objections to let the bill stand until we meet again. I would request every one within hearing of my voice to read that bill and compare it with the Railway Act in order that he may be convinced that the interests of the railway companies are protected. The object of the Bill is to simplify the settlement of difficulties between municipalities and railway companies by having them settled on the spot instead of bringing the parties to Ottawa from the most remote parts of the Dominion. I shall defer my remarks on the subject until the second reading of the bill.

The order was allowed to stand.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, February 5th, 1896.

THE SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

THE CONTROLLER OF INLAND REVENUE.

NOTICE OF INQUIRY.

Hon. Mr. McINNES (B.C.) gave the following notice :

That he will call attention to the following telegrams which appeared in the "Daily Colonist" newspaper of Victoria, British Columbia, purporting to have been sent by the Honourable Sir Mackenzie Bowell, and will ask the First Minister if they are copies of telegrams sent by him to His Honour Lieut-Governor Dewdney, the Honourable E. G. Prior, and A. Stewart Potts, respectively—namely :—

(Colonist, Dec. 19th, 1895.)

OTTAWA, Dec. 14th, 1895.

LIEUT. GOVERNOR DEWDNEY,

Kindly ascertain from Prior if he will accept a Controllorship, with a seat in the Cabinet. This would give British Columbia a voice in the Cabinet.

(Sgd) MACKENZIE BOWELL.

MONTREAL, Dec. 17th, 1895.

Honourable E. G. PRIOR, Victoria.

Governor Dewdney wires me there is a misunderstanding as to your status in the Government. You are a Controller of Inland Revenue, Privy Councillor, and a member of the Cabinet, and have just as much voice in the affairs of the Dominion as I have. I would have offered you nothing less.

(Sgd) MACKENZIE BOWELL.

Colonist, Dec. 21st, 1895.

OTTAWA, Dec. 17th, 1895.

Thanks for expression of approval by Liberal-Conservative Association of Government's action in giving British Columbia representation in the Cabinet, and at the selection of Colonel Prior, who in the past, has proved himself indefatigable in looking after the interests of his province. It was always my desire that British Columbia should be represented, and I took the first opportunity to have it done.

(Sgd) MACKENZIE BOWELL.

(Colonist, Dec. 24th, 1895.)

OTTAWA, Dec. 23rd, 1895.

A. STEWART POTTS,
Secretary Liberal-Conservative Association,
Victoria.

Yes. Vote and voice in Cabinet and Council equal with mine. See telegram to Prior. Surprised

doubt exists after so many affirmative answers given these questions.

(Sgd) MACKENZIE BOWELL.

Hon. Sir MACKENZIE BOWELL—In order that the hon. gentleman may have the information in time to assist him in preparing his speech, I can inform him that, so far as my recollection goes, the copies of the telegrams that he has read are literally correct.

Hon. Mr. McINNES (B.C.)—I am very much obliged to the hon. Minister, but it would have been better if he had deferred his reply until after hearing my statement on Monday next.

Hon. Mr. ALMGN—This is what the boys would call "a mare's nest."

BILL INTRODUCED.

Bill (C.) "An Act respecting certain female offenders in the Province of New Brunswick. (Mr. Wood).

THE SESSIONAL COMMITTEES.

MOTION POSTPONED.

The notice of motion being read :

Consideration of the report of the Committee of Selection appointed to nominate the Senators to serve on the several Standing Committees for the present session,

Hon. Sir MACKENZIE BOWELL said—I should like to let this stand until to-morrow. Several Senators have spoken to me about changes in the committees, and I have told them to make exchanges before the motion comes before the House—that the Committee on Selections has no objection. I therefore move that the order stand for to-morrow.

The motion was agreed to.

LOAN COMPANIES BILL.

SECOND READING.

Hon. Mr. AIKINS moved the second reading of Bill (B) "An Act respecting Loan Companies incorporated by special Acts of the Dominion of Canada." He said : The necessity of such legislation as is embodied in the Bill before us, is of recent

date. All debentures issued in Canada when floated in England are subject to a stamp duty. Until a recent decision that duty was one-eighth of one per cent, or two shillings and six pence on every £100. By a late decision the duty, instead of being one-eighth of one per cent, is to be one-half of one per cent, or ten shillings on the £100. All debentures issued by loan companies in Canada are made payable either to order or bearer. The contention is that a debenture made payable to order can be transferred from hand to hand by endorsement or, if made payable to bearer, may pass from hand to hand without endorsement. The Inland Revenue Commissioners in England decided that debentures of that kind are liable to the higher duty. This decision was disputed and the question was taken into court. It was finally decided that the contention of the department was correct and that the debentures are subject to the higher duty of ten shillings per £100. All the debentures are subject to the stamp duty. Under the Joint Stock Companies Act all the companies are authorized to issue debentures and they may do so in any way they think proper, but those incorporated by special Acts of Parliament, are, I think in every instance, authorized to issue debentures payable to order or bearer, and in that case they are made subject to the higher rate of duty. The only change made by this Bill is that they are made payable to order or bearer or to a registered holder. The only reason for keeping in the words "order or bearer" is that debentures floated in Canada are made payable to order or bearer and are not subject to any stamp duty here. It is to make this change that the bill is introduced. I consulted with the official in the Finance Department, who is charged specially with those things, and he assured me that there can be no objection whatever to this bill. This is the full scope of the measure. It is a very short bill, and although sometimes short bills are mischievous, I can assure hon. gentlemen that there is nothing of the kind in this instance.

The motion was agreed to and the bill was read the second time,

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, February 6th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE LATE PRINCE HENRY OF BATTENBURG.

MOTION.

Hon. Sir MACKENZIE BOWELL—I would ask the indulgence of the House to dispense with any rules which might prevent the moving of an address of condolence to Her Majesty on the death of Prince Henry of Battenburg. I was on the point of assuming the responsibility, during the recess, of asking the Governor General to associate the Senate with the House of Commons in sending a message of condolence to Her Majesty on the death of Prince Henry, but upon reflection I thought it would be assuming too much, even on the part of the leader of the Senate, believing it much better that the Senate, upon its re-assembling, should pass an address of a similar character to that passed by the House of Commons to Her Majesty and also to the Princess. I but utter the sentiments of every subject of Her Majesty in the Dominion of Canada, and I may safely add throughout the world, when I say that we deeply sympathize with Her Majesty in the many trials which she has had to undergo during her very long, eventful and successful reign. A speech upon a question of this kind is, I think, altogether unnecessary, and, with your permission, I therefore move:—

That an humble Address be presented to Her Most Gracious Majesty the Queen, in the following words:—

To the Queen's Most Excellent Majesty:

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's dutiful and loyal subjects, the Senate of Canada, on this, the first occasion of our assemblage in Parliament since receipt of the distressing intelligence of the death of His Royal Highness, Prince Henry of Battenburg, humbly approach Your Majesty with renewed assurances of attachment to Your Majesty's Person and Throne.

We desire, may it please Your Majesty, humbly to tender Your Majesty the expression of our

earnest sympathy in the affliction which has deprived Her Royal Highness, the Princess Beatrice, of a Consort, and Your Majesty of a son-in-law, a young Prince enjoying the happiest prospect of a long and useful career.

We pray that the God of Consolation may comfort Your Majesty and long preserve you to your people.

The Senate will observe that I have so worded the address as to convey to Her Majesty the fact that the Senate was not in session at the time of the passage of an address of condolence in the House of Commons, in order that they may fully understand that this House has taken the first opportunity that presented itself to join in the address sent from the House of Commons of Canada representing the sentiments of the people of the whole Dominion.

Hon. Mr. SCOTT—In rising to second the Address which the hon. the First Minister has submitted for the consideration of the House, I am sure that I voice not only the feeling and sentiments of every hon. gentleman within the range of my voice, but also the sentiments and feeling of the people of this Dominion, from the Atlantic to the Pacific. The least satisfaction we can convey to Her Majesty in her present affliction, is an assurance of our sympathy in the great sorrow she is now enduring. It is very well known that the Princess Beatrice was Her Majesty's favourite child, and that both she and her late husband, Prince Henry of Battenburg, were most nearly associated with Her Majesty. They accompanied her on her visit to Scotland, and were also with her at the Isle of Wight, and the various places of resort which Her Majesty sought from time to time. Therefore, the loss is more keenly felt by Her Majesty on account of the warm and constant association which has existed in the past; and the least we can offer to Her Majesty—who is so well beloved not only by the people, of this Dominion, but of the whole Empire—is an assurance that we deeply sympathize with Her in the great affliction she is now enduring, and also with the Princess Beatrice, who has lost, I believe, a very loving husband. The marriage was not contracted in the usual way between royal parties, but was based entirely upon affection; and, therefore, the affliction, coming so early in life, is all the more keen to the Princess Beatrice.

The motion was agreed to.

Hon. Sir MACKENZIE BOWELL—Following the precedent of the House of Commons, I beg to move:—

That a Message of Condolence be sent by this House to Her Royal Highness Princess Beatrice to express our sorrow on the occasion of the death of His Royal Highness Prince Henry of Battenberg, and to tender the expression of our earnest sympathy in the affliction which has deprived Her Royal Highness of a loving husband.

The motion was agreed to.

THE SESSIONAL COMMITTEES.

MOTION.

Hon. Sir MACKENZIE BOWELL moved the adoption of the report of the Committee of Selection, as follows:—

That His Honour the Speaker, and the Honourable Messieurs Aikins, Almon, Angers, Baker, Bernier, de Boucherville, Drummond, Gowan, Hingston, Sir William Landry, Masson, McClellan, Poirier, Power, Scott, and Wark, be a Committee on the Library of Parliament.

That the Honourable Messieurs Bernier, Casgrain, De Blois, Desjardins, Dever, Dobson, Ferguson (P.E.I.), Guévremont, Macdonald (P.E.I.), Macfarlane, McKindsey, O'Donohoe, Ogilvie, Perley, Primrose, Read (Quinté), Read (Cariboo), Sandford, Sullivan, Wark and Wood, be a Committee on the Printing of Parliament.

That the Honourable Messieurs Allan, de Boucherville, Casgrain, Clemow, Cochrane, Desjardins, Drummond, Ferguson (Niagara), Lewin, MacInnes (Burlington), McCallum, McMillan, Miller, Montplaisir, O'Brien, Primrose, Prowse, Reesor, Robitaille, Sanford, Smith, (Sir Frank), Vidal, Villeneuve, Wark and Wood, be a Committee on Banking and Commerce.

That the Honourable Messieurs Allan, Almon, Arsenaute, Baker, de Boucherville, Boulton, Bowell (Sir Mackenzie), Clemow, Cochrane, Dickey, Drummond, Ferguson (Niagara), Kirchhoffer, Landry, Loughheed, Macdonald (Victoria), MacInnes (Burlington), McCallum, McDonald (Cape Breton), McInnes (Victoria), McKay, McKindsey, McLaren, Masson, Miller, O'Donohoe, Owens, Pelletier, Poirier, Power, Sanford, Scott, Smith (Sir Frank), Snowball and Vidal, be a Committee on Railways, Telegraphs and Harbours.

That the Honourable Messieurs Adams, Angers, Armand, Arsenaute, Baird, Bellerose, Bolduc, DeBlois, Desjardins, Dever, Ferguson (P.E.I.), Gowan, McDonald, (Cape Breton), McLaren, Merner, Miller, Montplaisir, O'Donohoe, Ogilvie, Owens, Pelletier, Prowse, Reid (Cariboo), Robitaille, and Sullivan, be a Committee on Miscellaneous Private Bills.

That the Honourable Messieurs Aikins, Bellerose, Ferguson (Niagara), Kirchhoffer, Macdonald (P.E.I.), Macdonald (Victoria), McDonald (Cape Breton), McKay and Villeneuve, be a Committee on Standing Orders.

That the Honourable Messieurs Baker, Boulton, Kirchhoffer, Loughheed, McKindsey, Primrose, Prowse, Read (Quinté), and Wood, be a Committee on Divorce.

That His Honour the Speaker, and the Honourable Messieurs Almon, Bolduc, McMillan, Macdonald (Victoria), Price and Thibaudeau, be a Committee on the Restaurant.

That the Honourable Messieurs Adams, Baird, Bellerose, Bernier, Boulton, Macdonald (P.E.I.), McCallum, Perley and Vidal, be a Committee on Reporting Debates.

That a Message be sent to the House of Commons by one of the Masters in Chancery, informing that House that the Senate has appointed the Honourable Messieurs Aikins, Almon, Angers, Baker, Bernier, de Boucherville, Drummond, Gowan, Hingston, Sir William Landry, Masson, McClelan, Poirier, Power, Scott and Wark, a Committee to assist His Honour the Speaker in the direction of the Library of Parliament, so far as the interests of this House are concerned, and to act on behalf of this House as members of a Joint Committee of both Houses on the Library.

Resolved, That a Message be sent to the House of Commons by one of the Masters in Chancery, informing that House that the Senate has appointed the Honourable Messieurs Bernier, Casgrain, De Blois, Desjardins, Dever, Dobson, Ferguson (P.E.I.), Guévremont, Macdonald (P.E.I.), Macfarlane, McKindsey, O'Donohoe, Ogilvie, Perley, Primrose, Read (Quinté), Reid (Cariboo), Sanford, Sullivan, Wark and Wood, a Committee to superintend the Printing of this House during the present Session, and to act on behalf of this House with the Committee of the House of Commons as a Joint Committee of both Houses on the subject of Printing.

THE COMMITTEE ON CONTINGENCIES.

Hon. Sir MACKENZIE BOWELL moved :—

That the Honourable Messieurs Allan, Angers, Armand, Bolduc, Bowell (Sir Mackenzie), Clemow, Dickey, Dobson, Landry, Longheed, MacInnes (Burlington), Masson, McClelan, McInnes (Victoria), McKay, McMillan, Ogilvie, Pelletier, Perley, Poirier, Power, Prowse, Read (Quinté), Scott and Sullivan, be a Committee on Internal Economy and Contingent Accounts.

Hon. Mr. O'DONOHUE.—I should like to ask why, after some years of service on the Committee on Contingencies, I have been dropped from it. There is no man who can answer that as well as the Premier, because after all, though the Senate appoint the Committees, the influence of the Government prevails there and I find no means at my disposal to say why I have been put off that Committee except by inquiring of the Government.

Hon. Sir MACKENZIE BOWELL—I have no objection to answer the hon. gentleman's question and the answer will apply to a good many members who are not now on committees with which they were formerly

connected. The hon. gentleman intimates that the government is supposed to have exercised certain influence on the formation of the committee and that his name has been left out through or by that influence. I can assure him that he is labouring under a misapprehension, and I can appeal to the nine gentlemen who formed that committee to confirm what I am now saying, that in no case have I, as leader of the House, or member of the government, attempted to exert any influence other than that used and exercised by every other member of the committee in the formation of the sessional committees.

Hon. Mr. MILLER—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I might further say that two or three years ago we adopted a rule limiting the number of senators appointed to each committee, and in the selection of members for the different committees we had, of necessity, to leave some names off certain committees and place them on others, and in some cases to strike them off altogether, for this reason: some senators (I give them credit for it) devote more time and attention to the business of the committees than others, and some of them were on three, four and five committees, and in one or two cases I think on six committees. In order to make an equitable distribution, as far as it was possible to do so, we had to leave some members off certain committees. This is the only reason I can give the hon. member from Toronto for the omission of his name from this committee. He was not on it last year, for the same reason I suppose that he was left off this year, and not from any personal or political reason. If you look at the complexion of the committees and compare the numbers of senators belonging to the political parties, it will be seen that there has been no disposition shown on the part of the majority or the government to deprive the minority of a full share of the honours and responsibilities.

Hon. Mr. SCOTT—Hear, hear.

Hon. Sir MACKENZIE BOWELL—I am glad to know that my short career in the Senate meets the approval of my hon. friend opposite in that respect, and that he absolves me from having shown any desire to

exercise any undue influence in the formation of committees.

Hon. Mr. O'DONOHUE—I cannot for a moment doubt what the Premier has stated. Notwithstanding that, I think the government exercise too prevalent a power in the arrangement of committees, and instead of the committees being appointed by the Senate and by the people, really the government shows its hand and its influence prevails there. I cannot understand from anything that the worthy Premier has stated the reason that I was put off that committee. There is a large section of the people going before that committee for appointments, and in other respects, a large proportion to which I belong, and am proud to belong, and I do not desire that the Premier or the government should put me off in order to deprive them of the privileges and advantages to which they are entitled. These remarks are made with all respect to the Premier and his government, but there is no use to have privileges if a section of the people are deprived of their rights through the influence of the government, and particularly by a government that has gone to pieces and that has no head. (Cries of order, order.) I am in order, do not be afraid. I repeat it, that the government whose head is discarded by his own promoters and his own colleagues and who takes back deserters to his bosom as friends to work with, is not a government that should deprive the people of any advantage to which they are entitled. Now don't be alarmed about my statements; I am stating them fairly and fully. There is no man in the Dominion of Canada who held our worthy Premier in higher esteem than I, but when he took back a nest of hornets to work with him again, I discard him and will continue to discard him as a man not in the position of holding what he is entitled to hold. Up to the day that these men discarded him and said he was unfit to be the leader of the Canadian people, I was an admirer of his and my hon. friend the leader of the government knows those were my sentiments because I even wrote them to him—they were my sentiments that he was an honourable, clear, clean man in the public interest, but when he sunk down to the level of taking back with him a nest of hornets, a nest of men who had no confidence

in him, then I say the worthy Premier lost my confidence and only then.

The motion was agreed to.

RAILWAY ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. McCALLUM moved the second reading of Bill (A) "An Act to amend the Railway Act." He said—I do not think it is necessary to make any extended remarks in moving the second reading of this Bill. It is an exact copy of a Bill that passed this Senate on two former occasions, and was defeated in the other House. The object of the Bill is to save to parties living in the different parts of this Dominion the trouble and expense of coming here to Ottawa to appear before the Railway Committee of the Privy Council in order to get their grievances in reference to drainage redressed. The Bill is before hon. gentlemen, and if they will be kind enough to read it, they will see that it is not directed against the interests of the railways themselves. In fact, it is in their favour if they would only look at it in the proper way. The opinion has been expressed that every farmer living along the line of the railway will want to get a culvert put under the road. Now, there is not a greater mistake, because, in the first place, the farmer has got to pay the expense. Now, to-day, if a man lives in British Columbia or down by the sea, he has got to come here before the Railway Committee of the Privy Council to get his grievance redressed instead of having the matter settled on the spot. It has been said that all they have got to do is to write to the Minister of Railways who will take up the case. Has not the Minister of Railways of this country got enough to do without showing the farmers how to drain their land? If he attends to his other onerous duties, he has plenty to do. The object of the Bill is to enable parties to have a decision by arbitration on the spot as to who shall pay the expenses. As for any danger to life and property under the bill, there is none whatever, because the work is always performed by the Railway Company, but we should be careful not to ignore the claims of the farmers of this country altogether. I am just as much in favour of railways as anybody, but if you look back you will see that three-quarters of the railways of this country have

been built under charters of the local legislatures. By an Act of our own we declare them to be works for the general advantage of Canada. Had you left them where they were, the farmers could appeal to the local government, but we declared they were works for the general advantage of Canada and under the jurisdiction of this government—which I believe is perfectly right and proper; that is where they should be, but, at the same time, why should the government of this country want to bring people from all over Canada to settle their difficulties before the Railway Committee? I do not say that they do not get justice before that committee, but why cannot they get justice on the spot? They know what they want. The question can be settled by arbitration under this bill. I will not make any further remarks but simply move the second reading of the bill.

Hon. Mr. GOWAN—When I saw the name of my hon. friend from Monck in connection with this Bill, I at once sent for a copy. Sharing the high opinion entertained generally by every member of this House of the earnestness, the honesty, and the straightforwardness of the hon. gentleman, I was exceedingly anxious, if possible, to render him any assistance in my power to promote the measure. When I saw the Bill, and studied it and read it in connection with the Railway Act, I was almost frightened for I discovered that it was of a most dangerous character—I was almost going to say revolutionary in its character—violating important principles which it is the duty of every government to guard, and introducing an element of uncertainty as well as being a decided assault upon a most valuable tribunal. Hon. gentlemen will know that in every civilized country the railway system is considered a matter of vital importance. It is so especially in this country, and parliament takes care that the public interests as well as the interests of the corporations are properly guarded. Every parliament, in granting certain privileges necessary to corporations, at the same time reserves to itself certain necessary powers in the public interest—powers that are absolutely necessary, having regard to the regulation of their work, whether considered in reference to the functions of railroads in the carrying of the produce of the field, the forests and the mine, or in regard to the

carrying of passengers over their line, the latter being the most important of all as having relation to the preservation of human life. These considerations are of paramount importance, and in order to secure the effectual working of the powers generally reserved by parliament, a tribunal was instituted, an open tribunal, a proper tribunal having reference to the duties they had to carry out—duties for which they are responsible to the people and in respect to every part of their proceedings, they may at any time be questioned in parliament. This tribunal was instituted, as I read it, on looking at the Debates, after a most careful consideration, having taken the opinion of experts and of men who had large experience in these matters and it has been in operation and in successful operation ever since the railway system has prevailed in Canada. It has the great advantage—an all important advantage in a country where there are some seven or eight thousand miles of railway—of acting on uniform principles. Any man in the community may appear before that tribunal. It does not require, to secure audience there, that a man should be entitled to wear either wig or gown; any member of the community has a right to appear there and to represent such things as he claims are right to be considered in respect to any arrangement made connected with a railway, either as to its traffic, its road bed or any other matter. There is nothing to prevent him. It is not confined to the legal profession, and there are no fees required. Nay, more, if any representation is made in writing, as I am informed and believe, and as would be proper, whether done or not—if any representation is made in writing, whether it is urged by a professional man or not, it receives the very fullest consideration of that tribunal. Now the object that this Bill seems to me to aim at, is to affect that general clause, which secures uniformity, in a very serious way, by introducing a local tribunal and, in effect, transferring important duties to local bodies directly responsible to the people of the locality it may be, but not directly responsible to Parliament—people and bodies that Parliament are not in direct communication with. That, I think, in the first place, is an exceedingly dangerous thing. I am not going to enter into the details of the Bill at present. I think it bad, root and branch. On another

occasion, if it should come up again, I shall be prepared to enter more fully into the details, but I may mention one or two little points which strike me. The first clause makes it the duty of all railways in the country to maintain all existing watercourses as they are. That, I think, is utterly unsound and wrong, because it does not follow that all wisdom exhausted itself in those who located the watercourses, nor had science exhausted itself at that time, and it would be a very unsafe thing to make it a statutory obligation on all the railways of the country to maintain the water courses in the condition in which they are. But the clause which struck me as being the most dangerous and affecting clearly the responsibility of the Government, is the 6th clause which provides in effect that every railway company shall be subject to the general municipal regulations in each municipality as regards drainage. That clause would impose a statutory obligation upon railways to observe all the laws and regulations of every municipality in the country, and when we come to consider the number of these it will be a very serious thing for us to attempt to make it a statutory duty upon the railways to observe by-laws which may be good or may be bad. There must be hundreds and hundreds of municipalities through which railways pass—probably several hundred in Ontario—at all events, in my old judicial district, where I reside, there are no less than twenty-five municipal bodies entitled to make by-laws, the railroad passing through them, and the number in Ontario must be very large. I think it would be a very serious thing to interfere with the proper exercise of its power by a tribunal which has, on the whole, worked well. It would be dangerous to introduce any principle which would divest Parliament of its authority to interfere, and I am not prepared to relieve the government of any duties which I think they ought to be answerable for. I should have little confidence in any government which would not assume any responsibility cast upon it, and I could have little faith in a government which would seek to relieve itself of a responsibility by handing over portions of its work to municipalities or other bodies. I am not prepared to say that I would take the extreme course of moving against the second reading of the Bill, but I wish at this time to guard myself by saying that I entirely disapprove of it as being con-

trary to principle, dangerous to the public interest and taking away from the representatives of the people the effective control that they could otherwise have in regard to the railways of the country.

Hon. Mr. BAKER—I have no desire to obstruct the passage of the Bill which is presented for its second-reading by the hon. gentleman from Monck, and I am not disposed to enter at this stage upon a discussion of the details, but there are one or two features of the Bill which I think it right to present to this House in order that they may be considered between now and the final passing of the Bill. The features that I refer to embody the principle which underlies the Bill. It will be observed, from the Bill itself, and from the remarks of the hon. gentleman who moved it, that its object is to protect and enforce rights of proprietors who are contiguous to the lines of railway which traverse the Dominion from one end to the other. The rights of property of these parties are especially concerned. The Bill furthermore undertakes to deal with contracts and the first clause of the Bill in the broadest possible terms declares that hereafter

Notwithstanding anything in section fourteen of "*The Railway Act*," it shall be the duty of every railway company under the jurisdiction of the Parliament of Canada, and without any such contribution as is hereinafter referred to, to maintain and keep in repair all necessary drains, ditches and water courses in existence at the passing of this Act, in and for lands belonging to or held by such Company.

Now I submit that that clause of the Bill contravenes one of the plainest principles of legislation. It effects contracts that are in force at the present time by covenant or by the award of arbitrators. No matter what may be the origin of the contract, this clause of the Bill broadly declares that from this time forth the railway companies shall be liable for all the expenses of keeping these drains. They may have been built for the accommodation of contiguous proprietors, they may have been built to preserve the rights of parties other than the railway companies themselves, and yet this clause of the Bill declares in the most absolute terms that, notwithstanding the existence of any contract as to the making and maintenance of these drains, hereafter they shall be kept at the sole expense of the railway companies. I say that the principle embodied in that

clause is one that contravenes the plainest principles of legislation. The Senate is asked to decree that possibly solemn contracts entered into between the railway companies and other parties shall be set aside, and that a burden shall be put, without rhyme or reason, on the back of the railway companies for all time to come. I say that that principle is one which, in my opinion, cannot be justified. There is another principle in this Bill which seems to deal with municipal corporations, creatures of the local legislatures, and I submit for the consideration of the Senate that it comes dangerously near the line which separates the jurisdiction of this Parliament from that of the local legislature. It is true that Bills are often read the second time without committing the bodies which permit the second reading absolutely to the principle of the Bill. I know that in England, and in this country, Bills are sometimes permitted to pass their second reading and to be referred to committees without Parliament feeling itself absolutely committed to the principles of such Bill, but I think it right, even at this stage of the Bill, to point out that the principle embodied in this Bill is certainly vicious. I have not given the measure such mature consideration as to justify me in expressing a positive opinion that it is beyond the jurisdiction of this Parliament, and I remember that in moving the second reading the hon. senator from Monck referred to the fact that the Bill in its very terms passed this Senate when it was led by the late distinguished Sir John Abbott. No man in this House, or out of it, had greater respect for the ability and the legal attainments of the late Sir John Abbott than myself, but it is possible that the Bill may have passed this Senate without his attention having been called to it, and I say that that fact of itself affords no justification for this House committing itself to the principle of the Bill if it finds that it is objectionable. I do not oppose the second reading of the Bill, but as I said before, I think it fair and right to point out the possible objections that may be raised to the principle of this Bill, and while I do so, I do it without any intention or any desire to obstruct the hon. member from Monck. It is not since he became a member of this august assemblage that I made his acquaintance. I knew his energy and the zeal with which he prosecutes any undertaking which

he takes in hand long before he came to this House, and I know that the cause which he is promoting here to-day is one that lies dear to the heart of proprietors along the great lines of railway throughout the length and breadth of this Dominion. It is a most desirable object that he has in view, and I know the zeal and earnestness with which he is prosecuting it in this House, but it is for this Senate to consider whether, even for the attainment of so desirable an object, it should commit itself to a vicious principle. More than that, when it comes to a discussion of the details of this Bill, as I have no doubt it will pass the second reading and be referred to a Committee, it will be shown that a tribunal exists already which is perfectly competent to deal with the matters embraced in this Bill. The Railway Committee of the Privy Council is specially created for the purpose of determining the very matters that are mentioned here, and so far as the expense is concerned, there is not an instance on record where any party who came before the Privy Council has been condemned to the payment of a single dollar of expense. The department of Railways has in its service in all parts of the Dominion skilled engineers who are sent, on the requisition of any parties interested, to the spot and instructed to make an examination of the locality and to report, and upon such reports the judgments of the Committee of the Privy Council are given, and everybody knows that those judgments are invariably, if the law is to be stretched in any direction, stretched against the railway companies and in favor of the proprietors. I need not enter into a discussion of the details of the Bill. There will be an abundance of time, when it comes before the Committee, to discuss its provisions.

Hon. Mr. POWER—I am sure that you all agree with me in the pleasure with which I have listened to the first speech of the hon. gentleman from Missisquoi. His reputation preceded him here, and we are delighted to know that he quite comes up to his reputation. At the same time, that does not oblige us to concur in his views. Hon. gentlemen who have been in the Senate some time, will remember, probably, the history of this Bill. The hon. gentlemen who have recently come in, naturally cannot be expected to do that. This Bill

originated with the hon. member from Monck, who deserves all the praise which the hon. gentleman from Missisquoi has given him for his public spirit, his perseverance and determination. That hon. gentleman introduced in the Senate a Bill bearing a general resemblance to this measure, and having the same object in view. The measure came before the Committee of Railways, Telegraphs and Harbours, of which the late Sir John Abbott was a member, and was referred to a sub-committee of the Railway Committee, and of that committee the late Sir John Abbott was also a member. This Bill is largely, in fact almost completely, the work of the late Sir John Abbott. It cannot be contended that was a gentleman who would be likely to do anything rash, or anything calculated to unduly interfere with the just rights of railway companies. The hon. gentleman had had too much to do with railways and was too much interested in them—

Hon. Mr. GOWAN—Would my hon. friend allow me to ask him whether the work of Sir John Abbott on that Bill which he framed was not merely to give expression to the views of my hon. friend from Monck and not his own Bill.

Hon. Mr. POWER—I do not think so. This Bill was referred to a sub-committee of the Railway Committee. The late Sir John Abbott was the principal member of that sub-committee. I forget the other members, but I was myself one. As I understood at that time, and as I understand now, the sub-committee reported a measure which they thought should be adopted. The measure originally introduced by the hon. member from Monck, was very considerably modified, and the Bill, as we have it now, was substantially the work of that sub-committee, the principal and most important and influential member of which was the late Sir John Abbott. When this measure came up from the Railway Committee in the session of 1889, it was adopted in this House by a very large majority. In fact, the feeling of the Senate was so strongly in favour of the measure—the House was at that time led by Sir John Abbott—that the hon. gentleman from Ottawa, who opposed the Bill, did not venture to take the sense of the House at the second reading, or at any subsequent stage if I remember

aright. In the next year, 1890, the hon. gentleman from Monck introduced the Bill again, and it again passed this House; but it got to the other House, I believe, rather too late in the session to have any chance of passing. The hon. gentleman from Missisquoi knows very well how difficult it is for an opposed measure, which goes down to the House of Commons at a late stage of the session, to get through. Consequently this measure did not become law. The hon. gentleman from Monck has introduced the Bill at an early stage of this session, in the hope that it may go down to the lower House at such a period of the session that it will have a chance to be fairly considered and disposed of on its merits and not side-tracked and got rid of by any legislative sleight-of-hand. What was this Bill intended to do? As the hon. gentleman from Monck very properly said, some years ago there were a number of local railways in the province of Ontario—local railways in the sense that they were under the jurisdiction of the local legislature of Ontario. The local legislature of Ontario has provided that, as respects the matter of drains, those railway companies shall be placed in practically the same position as ordinary citizens; I know of no reason why they should not be; and the hon. gentleman has given no reason why a railway company should not be subject to the laws for the protection, and improvement of the adjoining lands by draining, as well as ordinary citizens. As the hon. gentleman from Monck pointed out, this Parliament in 1882 passed an Act which practically transferred all the railways of the country from the jurisdiction of the provinces to the jurisdiction of this Parliament, and took these railways from under the operation of the provincial laws with respect to drainage. The consequence was after that change—I do not know whether the railway Act has been altered in this respect since 1882—but, at any rate of late years, if the district, county or municipality of any kind, or if any proprietor, of land adjoining the railway, finds his land has been flooded, owing to the fact that his drains have been dammed by the railway embankment, he has no short and easy manner of settling the matter. He cannot treat the railway company as he can treat his next-door neighbour. He has to appeal to the Railway Committee of the Privy Council. I do not raise any question as to the manner in which the Railway Com-

mittee of the Privy Council have done their duty. I think that when the parties come before the Railway Committee, the Committee generally do their duty fairly enough; but, as everyone knows, it is a very difficult and expensive thing for a farmer in the far West, or in the remote parts of Ontario, or in the Lower Provinces, to appear before the Railway Committee; and no one knows better than the hon. gentleman from Barrie, and the hon. gentleman from Missisquoi, that, although you may say that a letter is quite sufficient, or that a farmer may come into the room where the Railway Committee meet, if the railway company appears represented by an able advocate, the farmer or his letter is liable to have little weight indeed. We all know that in court the case which has no advocate to present it is not likely to be the successful one. Then it was felt necessary that if those farmers were to be protected from the injuries done to them by railway embankments, they should have a cheaper and more convenient mode of getting justice than that provided by the Railway Act. It was with the object of furnishing such a tribunal that the hon. gentleman from Monck introduced this Bill. As I understand it, the fundamental principle of this Bill is not embodied in the first clause, which was objected to by the hon. gentleman from Missisquoi. The really important principle of this Bill is that the railway company shall be compelled to do what any other owner of land would be compelled to do in the matter of drainage; but the Bill does not go as far as that. It does not provide that absolutely. When the hon. gentleman from Monck introduced it, it did, I think, but the sub-committee to which this Bill was referred made a very important change, and provided that where the expense involved would be considerable the matter should go at once to the Railway Committee of the Privy Council. The bill provides now that where the expense involved does not exceed \$800 recourse shall first be had to the procedure provided in this Bill. There is nothing tyrannical about that procedure. If the Railway Company and the municipal corporation cannot agree, then the matter is referred to arbitration and there are provisions for a fair arbitration; that is, if there is a dispute with respect to the proportion of contributions, the railway companies are to pay only only their fair share of the expense of the improvement

and the municipality or owners pay the balance. Then, if any dispute other than one concerning the respective proportions of contribution arises, the party disputing may within thirty days after the receipt of the plans and specifications, give notice to the Minister of Railways, and then the matter comes up before the Railway Committee of the Privy Council; so that if there is any serious dispute the whole thing comes, as now, before the Railway Committee of the Privy Council. This bill simply provides that where the expense is not large and where there is not likely to be any quarrel or any serious difference between the railway company and the municipality, then the matter can be settled on the spot instead of coming to Ottawa at considerable expense, difficulty and delay. And further, there is another circumstance with respect to the railway committee of the Privy Council, that the committee, as a rule, does not sit very often during the session; and when Parliament is not sitting, it not infrequently happens that there is not a quorum of the Committee at Ottawa. The hon. gentleman from Barrie made an objection to the first clause of the Bill in which I think there is a great deal of force; but the fact that there is force in that objection is no reason for not reading the Bill a second time. It is perhaps a good reason for amending the Bill in Committee. The hon. gentleman said that this clause provided that the company shall maintain and keep in repair all drains, and so on, in existence at the passing of this Act. Well, it would be very easy to amend that by providing that if other drains be substituted they shall be kept in repair. It may be not expedient to confine the railway company to the existing drains. As long as the necessary drains in existence, or drains which may be substituted for those which are now in existence, are kept in repair, that would be enough. Then if I may venture to differ from so distinguished a lawyer as the hon. gentleman from Missisquoi, I think that hon. gentleman has misapprehended the effect of the words in the first clause. These words are:—

"Notwithstanding anything in section 14 of the Railway Act," etc.

And the hon. gentleman drew a picture of the violation of contracts which had existed for many years between the railway

companies and the owners of the adjoining lands, which of course it would be a very serious thing for Parliament to authorize. Now, hon. gentlemen, this language refers simply to what appears in section 14 of the Railway Act. It does not interfere in any way with contracts, or agreements made between the railway company and the owners of adjoining lands, or municipalities or other persons. I will read section 14 of the Act which will show that this first clause of the Bill before us has not the meaning the hon. gentleman imagined. The clause reads as follows :

Whenever after due notice of application therefor, the Railway Committee decide that it is necessary in the interest of any municipality that means of drainage should be provided, or lines of water pipes or other pipes should be laid, or streets made through, along, across or under any works or lands of the company, it may, after hearing the parties, direct how and on what terms such drainage may be effected or water pipes or other pipes laid or streets made; and thereupon such municipality may construct the works necessary to carry out such direction, but only under the supervision of such official as the Railway Committee appoints—or at its option the company may construct such works under the like supervision; and the cost of constructing such works, the cost of supervision, and the continued maintenance of the same shall be paid by such municipality, unless the Railway Committee direct that the company bear some proportion thereof—in which case the company shall bear such proportion as the Railway Committee decides.

It will be seen that that section deals only with works to be constructed after the passing of the Act. That does not at all affect existing contracts. Then the hon. gentleman from Barrie thought that it was a very improper thing indeed that railway companies should be subject to all general municipal regulations not inconsistent with this Act respecting the maintenance and repairs of the drains, ditches and water courses in any county, parish, township or other municipality in Canada through which the railway passes, unless exempted therefrom by the special Act of incorporation. It seems to me that, so far from its being unreasonable and improper, that railway companies should be subject to the law which governs other people, it is eminently fit and proper that railway companies should be governed by the law which governs the rest of the community, unless some good reason is shown why it should be otherwise, and no reason, as far as I can learn, has so far been shown for removing railway companies from the

operation of the law. The hon. gentleman thought that it was a very objectionable thing to transfer to local authorities the duties now discharged by the Railway Committee of the Privy Council. So far from that being the case, where the matters involved are not of very serious consequence, and there is not a very large sum of money at stake, it is a great deal better in every way that we should not centralize and that these local questions should be settled on the spot. If the course were adopted which I should prefer myself, it would be to enact generally that every Railway Company from one end of the country to the other should be subject to the laws with respect to drainage which were in force in that part of the country in which the railway is found. I think, considering the fact that this House has passed this Bill twice in its present shape, and that the House was almost unanimously in favour of it, we ought not to delay the passing of it now, but let it go to the second reading and if amendments are desirable, make those in committee, and then send the bill down to the other House; so that the hon. gentleman from Monck may at least have a chance of having his measure disposed of on its merits.

Hon. Mr. SCOTT—I should like to make one or two observations before the bill is read the second time. The policy of Parliament since the foundation of the railway system in Canada has been zealously to preserve its control over the railways of the country, not in the interest of the railways, or individuals, but for the protection of the general public—the lives of people who travel on them. When a charter is once granted a railway company, they cannot turn a sod until they get the sanction of the railway committee and the Minister of Railways to the plans of the proposed project. The character of its bridges, the culverts, the ditches, the crossing of highways, and all other details have to be first submitted to the Minister of Railways. They get his approval before they commence any operations; then, before the railway is opened, the railway department send a special officer, who is exclusively charged with duties of that kind, to inspect the railway and all its details—its bridges, banks, culverts, ditches and every other incident connected with the railway. The officer is also charged from time to time to make this inspection and to

see that the interests of the public are duly protected at all times. Now it is proposed that Parliament shall divest itself of the control of a most important incident in connection with the railway system, and shall hand it over to the municipalities. If it is wise and prudent to do that, it is surely equally wise and prudent to hand over the control and disposition of many other of the details incident to the railways—for instance, the mode of crossing streets. A railway must have the sanction of the Minister of Railways, or the Railway Committee, to its running along a highway or crossing a highway. It must have the sanction of the Railway Committee to the fencing and to the approaches to a crossing; even a farmer's crossing. Is there any more reason for taking out of the control of the present tribunal, the jurisdiction over ditches and watercourses, than over the various other subjects that parliament has seen fit to charge the Railway Committee with? In 1888, when the Railway Act was passed, a clause was inserted which it was thought would meet any complaints that might arise in reference to this question of drainage. My hon. friend from Halifax has read it, but I should like to call the attention of the House especially to it, and they will then see that a very much simpler mode of settling a question of this kind now exists than the one proposed by the hon. member from Monck.

Whenever after due notice of application therefor, the Railway Committee decides that it is necessary in the interest of any municipality—

Not of the Railway Company, but in the interests of any municipality.

That means of drainage should be provided, or lines of water pipes or other pipes should be laid, or streets made through, along, across, or under any works or lands of the Company, it may, after hearing the parties, direct how and on what terms such drainage may be effected or water pipes or other pipes laid or streets made.

Hon. Sir MACKENZIE BOWELL—That is done at the expense of the government—not of the municipality.

Hon. Mr. SCOTT—I ask whether the process laid down in the Bill now under consideration is not more elaborate, more difficult and more expensive than the simple method defined by the statute? Before

parties have a right to come and ask parliament to withdraw from the present tribunal, this jurisdiction over so important a matter as the piercing of a railway bank, I think they should show there are cases of hardship existing. I have had some experience in the last 25 or 30 years with railway companies, and I have yet to know a case of hardship arising anywhere, where the municipality has been injured by the existence of obstructions on the part of the Railway Companies. My hon. friend from Monck may point to such a case but in my long experience I have never come across one.

Hon. Mr. McCALLUM—I will tell you some other time.

Hon. Mr. SCOTT—And as a matter of fact, if it is desirable to reclaim swamp lands—to enlarge culverts, I am not aware that railway crossing have offered any opposition, or that it has even been found necessary to come to the Railway Committee where the parties interested have agreed to pay the cost of it. I have yet to know of a single case where the railway company has refused them. We all know very well that the lands through which the railways are constructed are immensely benefited in their drainage. For their own protection the railway company must build a bank where the lands are flat or low; and they are bound to build ditches and are bound to keep them free from obstruction, and as a matter of fact, the adjoining lands are drained by the railways crossing through them. Now, of recent years this system of drainage, has received a good deal of attention. Lands which were thought to be irreclaimable years ago have been made valuable by draining off the water. To do that, it is necessary to enlarge the ditches. In Ontario there are immense areas thus drained. It really involves creating a channel which is a good sized creek; and it is found that the railway ditches and culverts are not equal to the large draught. It is quite proper and fair that facilities should be given by the railway company for the permission to pass, if necessary, under its banks. I quite recognize that, but I do say that it is unwise of this Parliament to withdraw the control over the cutting of the bank and the construction of the culvert from the Railway Committee.

Hon. Mr. McCALLUM—We do not withdraw it from the Railway Committee.

Hon. Mr. SCOTT—You practically do. If it has to go to the Railway Committee on an appeal, why not go there in the first instance? I say, as a matter of fact, that the cost and expense of going to the Railway Committee will not be nearly as much as the expense under this Bill.

Hon. Mr. POWER—Would the hon. gentleman begin his suit in the Supreme Court of Canada instead of an inferior Court?

Hon. Mr. SCOTT—I have had a good deal of experience with the Railway Committee and I may inform hon. gentlemen that that Committee sits when the convenience of the applicants requires it. It meets perhaps monthly, when parliament is sitting, and oftener when parliament is not sitting. The Railway Committee meets on Saturday next, and there will be probably another meeting 20 days from Saturday. Of course, there are cases accumulating all the time, and when a certain number of cases are ready, the committee will meet. There is no tribunal in Canada which is so elastic and so satisfactory to those who go before it as the Railway Committee of the Dominion of Canada, under every government which has heretofore existed. There are no bills of costs before that committee as there are before all other courts and arbitrations. They have their own officials in different parts of the country. If a difficulty arises in British Columbia, all they have to do is to wire their engineers who represent the Dominion in that province, and who are easy of access. Those officers are charged with examining questions of this kind, and until the matter has become a real substantial grievance, I think parliament should not interfere in this direction and hand over to the municipality the control of so important a matter as the piercing of the railway bank with culverts and ditches.

Hon. Mr. GOWAN—I am not acquainted with the practice before the Railway Committee; but I am told that a representation made by a municipality or by an individual will receive as full consideration as if they were present or represented.

Hon. Mr. SCOTT—Yes, there are no rules, forms or ceremonies. It is much the same as a person appearing before one of the committees of the House, except there is this further consideration, that the committees of this House would probably not be influenced by a written representation against the passage of a bill. If a letter were sent to the chairman, he would probably just place it before the committee and it would be for the committee to say whether they would pay any attention to it. They would naturally say—"Well, if this is an important matter, the person interested ought to have sent counsel here, or ought to have communicated to some individual to represent him and make those statements." Now, that is not the practice of the Railway Committee. A letter addressed to the chief engineer, or the chairman of the committee, receives the same attention as the writer appearing in person, but I think they are much more sensitive and keen where a municipality is concerned. Of course, the government is dependent on the votes of these people for its support, and they cannot afford to ignore a representation made by anybody. A municipality is an organized body, and if they send a communication to the committee it is not thrown in the waste paper basket, but an engineer is sent to investigate and the country pays the expense of it. Now, I say that, until it is shown that there is some damage to the individual, and that the individual has not had a fair representation before that tribunal, Parliament should not interfere. But, if they interfere in that, why should they interfere with the question of crossing streets and roads. What do they do in that case? Although the Railway Committee have control in cases of that kind, yet they do not do it. They say to the railway companies, "go and get the consent of the municipality; bring us that before we consent to your passing along the highway." Any gentleman who has any familiarity with the Railway Committee will know that that is the invariable rule. They could say to a railway company when they ask permission to run along a street or highway, "We will give you that permission." They could approve of the plan if they wished to do so, but they do not do that; they say to the railway company, "You must go to the municipality and get a resolution passed approving of it, and then we will consider

it." What could be fairer than that? They take a more keen interest in these matters than arbitrators would, and until it is shown that there is some substantial grievance it is not wise for Parliament to interfere, because if they gave way on that they would have to give way on many other matters, and I think it would be a very great mistake to give away power we have reserved in the control and management of the railway system. Our railway system has certainly been a credit to the country, and that is due to the fact that it is under the sovereignty of a tribunal that parliament has nominated. The railways are at all times subject to the control of the Railway Committee. If an official travelling over the railway line finds the road in bad order he makes a report to his Minister and an order goes forth that they must make repairs or stop running trains.

That is a great protection to the public, and I think it is highly essential that that protection should be continued and that parliament should not divest itself of so important a matter as the control of the piercing of the banks of railways by additional culverts. Every additional culvert put in is an element of danger, and they should be as few as possible and only put in when necessity requires it.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Friday, February 7th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE STANDING COMMITTEES.

NOTICE OF MOTION.

Hon. Sir MACKENZIE BOWELL.—There was an error made yesterday in adopting the report of the Committee of Selection which I wish to have corrected. Mr. McClelan's name was on the Railway Committee as reported from the committee appointed to nominate the committees of the House, but was omitted

in the printed list of the proceedings of the Senate, and for that reason Mr. Arsenault was added to the Committee on Railways and Canals. Mr. Arsenault has been informed that the error took place, and I propose to give notice that Mr. McClelan's name be substituted, for that of Mr. Arsenault, and also that the name of Mr. Ferguson be substituted on the Banking Committee, for that of Mr. Prowse who was put on the Divorce Committee in the place of the Hon. Mr. Ferguson.

THE MANITOBA SCHOOL QUESTION

INQUIRY.

Hon. Mr. BOULTON inquired :

When is it the intention of the Government to bring down the " Remedial Legislation," for which this Parliament was called together to consider and deliberate upon?

He said :—The object of putting this question, hon. gentlemen, is apparent on the face of it. The necessity of bringing forward the legislation that has been the matter of so much controversy for some time past is quite evident. If it is the deliberate purpose of the government to bring down legislation appertaining to the grievances of the minority of the Province of Manitoba, it is a question that should be dealt with as speedily as possible, and the pledges made by the leader of the government to bring down that legislation should be carried out. Parliament has not been called for the purpose of considering other legislation. Now I will just read extracts from the communications that have passed between His Excellency the Governor in Council and the Province of Manitoba in order to show the grounds upon which I justify my question. The first extract is in a report dated 27th July, 1895, from the Dominion Government to the Provincial Government and it says :

Though there may be differences of opinion as to the exact meaning of the reply in question, the government believes that it may be interpreted as holding out some hope of an amicable settlement of the Manitoba school question on the basis of possible action by the Manitoba government and legislature; and the Dominion government is most unwilling to take any action which can be interpreted as forestalling or precluding such a desirable consummation. The government has also considered the difficulties to be met with in preparing and perfecting legislation on so important and intricate a question during the last hours of the session. The government has, therefore, decided not to ask parliament to deal with remedial legis-

lation during the present session. A communication will be sent immediately to the Manitoba government on the subject, with a view to ascertaining whether that government is disposed to make a settlement of the question, which will be reasonably satisfactory to the minority of that province, without making it necessary to call into requisition the powers of the Dominion parliament. A session of the present parliament will be called together, to meet not later than the first Thursday of January next. If by that time the Manitoba government fails to make a satisfactory arrangement to remedy the grievance of the minority, the Dominion government will be prepared, at the next session of parliament, to be called as above stated, to introduce and press to a conclusion such legislation as will afford an adequate measure of relief to the said minority, based upon the line of the judgment of the Privy Council, and the remedial order of the 21st March, 1895.

This is the report of the Government to His Excellency in Council made in July last, in consequence of a change of policy with regard to the Government's action in the matter during the last session of Parliament. As it stated there, instead of bringing down the legislation then it took advantage of the opening that was left by the reply of the province of Manitoba to the remedial order by re-opening negotiations for the purpose of ascertaining what action the province of Manitoba were prepared to take upon a further consideration of the matter, and a further consideration of the representations made by the Dominion Government. Well, hon. gentlemen, I will read an extract from the reply that was received on the 27th of December last, and is published here from His Honour the Lieutenant-Governor in Council to His Excellency the Governor General in Council, which is dated the 20th December last. The extract is to this effect :

It is further recommended that the Order in Council of 27th July, 1895, with the reply of Your Honour's Government thereto to be laid before the Legislative Assembly of the Province with all convenient despatch at the next ensuing session thereof.

This extract is contained in a report from the Hon. Attorney-General Sifton of the Provincial Government to the Lieutenant-Governor in Council and embodied in the reply of the Manitoba Government to the communication of the Dominion Government of the 27th July, 1895: it goes on to say :

It may be pointed out that the legal position in regard to the proposed remedial legislation is far from clear. It has repeatedly been declared, ac-

cording to reported utterances, that remedial legislation does not necessarily mean that the remedial order will be literally followed, or that the system of separate schools which existed prior to 1890 will be restored. It would appear reasonable to conclude that no one could seriously contemplate the restoration of that system. Yet if remedial legislation in any other form than a literal confirmation of the remedial order be introduced, a grave doubt arises as to the competency of Parliament to pass such legislation without the same being first submitted to the legislature of the province. On the other hand any proposed measure would require to be in accord with the order of the Governor General in Council, so that the first step required might be to amend the remedial order. Whether any power exists to amend or rescind the remedial order is also a subject of some doubt.

It is a matter of regret that the invitation extended by the Legislative Assembly to make a proper inquiry into the facts of the case has not been accepted, but that, as above stated, the advisers of His Excellency have declared their policy without investigation. It is equally a matter of regret that Parliament is apparently about to be asked to legislate without investigation. It is with all deference submitted that such a course seems to be quite incapable of reasonable justification and must create the conviction that the educational interests of the people of the province of Manitoba are being dealt with in a hostile and peremptory way by a tribunal whose members have not approached the subject in a judicial spirit or taken the proceedings necessary to enable them to form a proper opinion upon the merits of the question.

The inquiry asked for by the reply of the legislature to the remedial order should, in the opinion of the undersigned, be again earnestly invited, and in the event of the invitation being accepted the scope of the inquiry should be sufficiently wide to embrace all available facts relating to the past or present school systems.

These are two extracts that I think appertain to a proper understanding of the question that I have put upon the order paper. The first is the declaration on the part of the Dominion Government, in the event of the Provincial Government not doing anything, to introduce a bill and to press it to a conclusion. And the next is an extract from the reply of the Manitoba Government to the communication of His Excellency in Council of 27th July last. Instead of doing as was requested to call the legislature together to consider the new position the Dominion Government had taken, the Manitoba Government appealed to the people for a justification of the course that they were pursuing in determining upon considering the provincial rights of the province of Manitoba to be exclusive to conduct the educational affairs of the province without interference from the Dominion Parliament. The result of

that has been a return of the Provincial Government to power with almost a unanimous majority—practically a unanimous majority—of supporters in the legislature. That is the answer that has been made to the question, but instead of being made by the legislature it seems to have been made by an appeal to the people. Now it becomes, in consequence, a necessity on the part of the Dominion Government, I presume, to carry out the pledge that was made by the First Minister to bring down legislation. How far the Government are acting wisely in doing that without further investigation is a matter for them to decide. I consider, myself, that it is a delicate question, this interference with provincial rights and with a constitutional power—it is taking a fresh departure in the chain of communication and the chain of responsibility that exists in Canada as between the Dominion Parliament and the various provincial legislatures, and it is fraught with much difficulty and I have no doubt will elicit a great deal of discussion. I look upon the Governor General in Council, in regard to this question, as an arbiter between those who have applied under the law for a remedy for their grievances, and the Provincial Government of Manitoba and the legislature who enacted the law that created the grievances, and that as an arbiter and an arbiter seeking for information and the very best solution of the difficulties that have arisen, it is a question whether they have accepted that position in its fullest extent. Of course, as I said before, I consider they are practically an arbiter between these two contending parties but that Parliament has to put its legal seal upon any action that may be undertaken and declare its policy upon the justice or wisdom of the course that has been pursued.

Hon. Mr. MASSON—I rise to a question of order. This is a plain question which can be answered in one minute by the government. By our rules, and the rules of every legislative body, this is not a debatable question. What is the use of going into an elaborate speech on the duties of the Government? We will have the Remedial Bill before us in a few days and the hon. gentleman can have a chance to discuss the subject then. I appeal to the Speaker and the House to say whether this is a debatable question—when is the government going to bring

down the Remedial Bill? If that is a debatable question, we are establishing a very bad precedent—not that anyone wishes to shirk the question, because it will have to come up. The inquiry of the hon. gentleman is not one of opinion, but a mere inquiry as to when the bill will be brought down. Give the Premier an opportunity to answer the question. I submit the question of order.

Hon. Mr. BOULTON—When asking a question of this importance, it is necessary for me not to enter into a discussion on remedial legislation, not on the merits of the bill which is not before us yet, but to enter into a discussion as to the necessity of the Dominion Government bringing down the bill and having it considered in accordance with the pledge of the government and disposing of that question before introducing legislation for the ordinary business of the country and before asking for supplies or anything else. It is necessary for me to produce this evidence to show that I am justified in the position that I am taking, that in view of the facts I present here, through the authoritative documents of the Crown, that I am justified in asking that this bill be brought down and discussed. I submit, with all due deference to the Speaker, I have not discussed the bill in any shape or form, but merely the question as to whether it should be brought down or not, for we have now sat for more than a month without having the legislation which this session was purposely called to consider.

Hon. Mr. POWER—I do not think the point of order is well taken. If the hon. gentlemen were in the House of Commons, I admit the point of order would be well taken, but our practice has been altogether different from that of the House of Commons and we have always allowed a great deal of latitude here to hon. gentlemen in respect to almost every rule of debate—in fact, it is stated in our rules that they are not so rigidly enforced as in the House of Commons, particularly this rule, and we have had time and again speeches, and long speeches, on questions. As the hon. gentlemen beside me says, this is the first time that the right of a member to speak on an inquiry has been seriously questioned. I am not now expressing an opinion on the matter of the hon. gentleman's speech; but I think he was quite in

order. I think he was confining himself fairly well—as well as could be expected—to the subject which his question dealt with. Of course, the reason why the rules are not so rigidly enforced here as in the other House, is quite clear—that as a rule we are not as busy as members of the other House, and, further, we are not supposed to be quite so excitable.

Hon. Mr. McKAY—I think the practice has been, heretofore, when a member asked a question and wished to discuss it, he put an addition to it that he would call attention to the subject.

Hon. Mr. POWER—That is when he desires a general debate upon it.

Hon. Mr. MASSON—A plain question as to what is to be done is not, and should not be, a debatable question.

Hon. Mr. POWER—There is no debate. It is merely the hon. gentleman who is asking the question who speaks. If it were desired to have a debate, the hon. gentleman would have called attention before making an inquiry.

Hon. Mr. MASSON—Surely the hon. gentleman will not say that it is not supposed to be debatable whether the government shall or shall not bring in a remedial Bill when we have been called here to deal with it. The whole discussion comes up. That is the purpose for which this Parliament was called together. The government have decided that there shall be remedial legislation, and now is not the time to discuss it, unless you want to bring up the whole question whether it is proper to have remedial legislation or not.

Hon. Mr. McINNES (B.C.)—If the hon. gentleman who has raised this question of order will refresh his memory, he will find that this is the first occasion, since he became a member of the Senate, when a senator rose to put a question to the government and was denied the privilege of speaking on that question as long as he saw fit. It is the first time I have known that privilege to be denied.

Hon. Mr. MASSON—The hon. gentleman is mistaken. The hon. gentleman was himself stopped in making a speech on a mere question. It was shown in this House how

inconvenient it was to raise a debate on a question.

Hon. Mr. McINNES (B.C.)—When was that?

Hon. Mr. MASSON—Before the rules were revised.

Hon. Mr. McINNES (B.C.)—I have no recollection of it. I admit the hon. gentleman is quite correct, that on a mere inquiry it is not open for every one to take part in the debate, but I have yet to find that a member who puts a question has been interfered with in making a speech to it as long as his speech was relevant to the subject.

Hon. Mr. MASSON—I put it to the hon. gentleman's own sense of fairness. A member puts a question on the paper and makes a speech, spreading his views throughout the country. Then, after he finishes his speech the whole discussion stops and no one can reply. Is that fair and right? Will you admit that in fairness you cannot reply to that? Will you leave the whole House to the mercy of any member who chooses to make a speech when he should not make one?

Hon. Mr. McINNES (B.C.)—I am not contending whether it is right or wrong; I am stating a fact known to every member of this House, that it has not been the custom to prevent a senator from speaking on an inquiry when making the inquiry himself. If the hon. gentleman who has raised this question would be kind enough, in his leisure hours, to instance any case in which a member has been stopped when speaking on a question that he has put on the paper, I should be happy to hear it.

Hon. Mr. MASSON—I was trained in the House of Commons where the rule is very wisely enforced.

Hon. Mr. McINNES (B. C.)—It has never been the practice here.

Hon. Mr. MASSON—Yes, it has.

Hon. Mr. McINNES (B. C.)—Then I am not aware of it.

Hon. Mr. ALMON—I think if the hon. gentleman from Shell River was to retire within the lines of Torres Vedras and keep

perfectly silent after asking the question, it would be very much better. If the hon. gentleman continues he may, as he did the other day, take a day and a half for his speech, and that would bring us into Sunday, which would be improper.

Hon. Mr. BERNIER—If I understand the point of order raised by the hon. gentleman from Mille Isles, it does not deny the right of the hon. gentleman from Shell River to speak to his question, but it does deny the right of the hon. gentleman to discuss the policy of the government on this question.

The SPEAKER—Since the House desires the opinion of the Speaker, I may say, that in my opinion, if the hon. gentleman was to limit himself to speaking on the propriety of the government bringing in, sooner or later, the measure for which this session has been called, I think he has a right to speak from that point, but if he were to go into the merits of the question itself, I mean the bill, I think it would be wrong, and if the House has permitted such discussions in the past, it would be a proper time to put a stop to the practice now.

Hon. Mr. BOULTON—I do not propose to delay the House very much longer with any remarks upon the question. I hope that I have confined myself, as I intended to do, to giving reasons why the government should bring down the bill which Parliament was called to consider. It is merely for that purpose, in order to show what the government promised and that the legislature of Manitoba did not comply, that it was necessary to read these extracts, for in consequence of the action of the legislature of Manitoba it will become necessary now for the Dominion government to carry out their pledge. There is also another phase of the question that I think it is desirable to put before this hon. House, and that is that we are approaching the termination of the life of this Parliament, that on the 25th of April the Parliament ceases to exist.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. BOULTON—That is open to question at any rate. It ceases so far as the great body of members is concerned. Tech-

nicalities may be urged to prove the contrary, but the great mass of the members of Parliament were returned on the 25th of April and the life of Parliament expires then, and to attempt to prolong it would be unwise.

Hon. Sir MACKENZIE BOWELL—You do not want that point discussed now?

Hon. Mr. BOULTON—No, I do not propose to discuss it. I merely wish to give that as an additional reason why this bill should be brought down, that, at any rate according to my idea, that is the termination of the life of Parliament, and that it is not desirable that Parliament should be prolonged to that limit. There are many reasons of great importance why such should not be the case; the disturbed state of the world is a sufficient reason, especially when the interests of the British Empire are connected with a great deal of that disturbance, and it would be most unwise if we were to have a parliamentary election in the middle of the summer, after the life of Parliament had lapsed, instead of having our house in proper order while the life of Parliament still exists. If we were to sit up to the last moment discussing estimates, discussing the expenditure of public moneys and discussing these questions up to the very last moment that the life of Parliament existed and were then not dissolved, to be called for an election at any time at all, I think that it would be a very grave and improper proceeding under existing circumstances; that it would be most desirable that this remedial bill, which will take a long time, should be discussed, and as soon as possible after that has been disposed of, that an appeal should be made to the country and the expenditure involved in all the necessary public works of the country, should be the result of the deliberation of a new Parliament and not of the present dying one. With all these important questions infringing upon the time that should be taken for the deliberation of those questions, the question of the cost of an extra session is a secondary one. The country has lost nothing by the delay in considering this remedial legislation, and the question of cost in litigation foreshadowed in the extracts I have read shows how necessary mature deliberation is for a proper understanding of all the points. It is for all these

reasons, hon. gentlemen, that I ask this question.

Hon. Sir MACKENZIE BOWELL—I hope the Government will be able to lay the bill before Parliament on Monday or Tuesday next at the latest.

The Senate then adjourned.

THE SENATE.

Ottawa, Monday, 10th February, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE OTTAWA CANAL.

MOTION.

Hon. Mr. CLEMOV moved:

That an humble Address be presented to His Excellency the Governor General; praying that His Excellency may be pleased to cause to be laid before the Senate, copies of all maps, reports, estimates, &c., regarding the Ottawa Canal, and especially those of T. C. Clarke and Walter Shanly; also copies of all correspondence, petitions, resolutions, reports and other papers which have been filed with the Honourable the Minister of Railways and Canals, regarding and in favour of the Montreal, Ottawa and Georgian Bay Canal.

He said: This subject, as you know, has engaged the attention of this country for over forty years, but owing to various circumstances, the project has not received the attention which I think its importance merits. It has not been taken up owing to the fact that the finances of the country would not admit of the expenditure involved in carrying out the enterprise. Still, the importance of the project is so great that the time has arrived now when it demands attention. In 1856 the route was surveyed and plans and specifications were prepared in a very careful manner by Messrs. Shanly and Clarke. At that time a contract was given for a portion of the work between Lake Deschenes and Chats Lake, but it was found at that time that the cost of excavating the rock with powder, which was the only explosive then used, was so great that it was impossible to continue the work, and it was abandoned for the time being

after the expenditure of a considerable amount upon it. Of late years the project has been revived, and is now engaging the attention of the leading capitalists, bankers and Boards of Trade throughout the Dominion. They entertain such a favourable view of the enterprise that in 1894 it was considered expedient to obtain an Act of Parliament incorporating a company to construct this work. The company is now prepared to proceed with the enterprise, and when I furnish the facts now available and show the opinions of engineers and scientific men as to the feasibility and necessity of the canal, I think there will be but one opinion in the country—that this work should engage the early consideration of the government. It is a route which will connect the seaboard with the Great Lakes, having its western terminus on the Georgian Bay. It will furnish a channel for the transportation of the cereals of our great North-west at a very considerable decrease in the cost of transportation as compared with existing routes. I have figures to substantiate this claim and which will convince everyone of the great advantage which the opening of this route would effect. It will soon be an absolute necessity, if the development of the North-west is to continue at its present rate of progress. Last year we produced 85,000,000 bushels of grain, and I have no doubt that before ten years the production will have increased to probably seven or eight hundred millions of bushels. The moving of such a vast amount of freight will tax the capacity of all the existing means of communication, and will render this outlet by the way of the Ottawa River necessary to perform such a gigantic work.

Hon. Mr. MCINNES (B.C.)—That is a Tupperism.

Hon. Mr. CLEMOV—Hon. gentlemen may laugh, but my predictions in the past have been pretty well verified so far as they have gone, and I believe that my predictions as to the future of the North-west will be realized. I may not live to see it myself, being an old man, but there is a probability that some of you who hear me to-day will witness it. This work should have been undertaken years ago, but the overwhelming influence of the St. Lawrence interests has been so great that too little attention has been paid to the Ottawa

country. I hope, however, for a better state of things, and I hope the country will feel the very great necessity, from an imperial and colonial point of view, of undertaking this work. We have had a war scare lately, and in the event of war this canal will provide a safe route for the transportation of munitions of war and vessels of war for the purpose of meeting the enemy in the Upper Lakes, which is a great consideration in favour of this canal. When the Rideau Canal was built in the commencement of the century, it was intended more for the defence of the country than as a commercial route. Still, it did a great deal of good commercial work, and also some work from a military point of view. I remember in 1837 and 1838 this canal was largely used in the transportation of troops and military stores, and therefore I think, as the old Duke of Wellington used to say, it is sound policy in time of peace to prepare for war. I see no better means of doing this than by building this Ottawa canal, I hope the project will not be side tracked any more. We have had many difficulties to contend with in this section of the country, but this enterprise will open up a vast section of country and will be a great backbone for the Dominion. Therefore, I do hope and trust that the matter will be taken up. A very important deputation intend to interview the government next week, I believe, for the purpose of laying their views on this project before them, and I have no doubt they will give the company all the assistance in their power. The Ottawa Canal is a work destined to be of great value in a variety of respects. I cannot over estimate the importance of this route to the entire Dominion. In fact, we are at the mercy of our foes, because we have foes within and without, and this will remove to a great extent the possibility of having a capture, particularly with our neighbours on the other side of the line. Taking all these matters into consideration, with the evidence which I will produce before you to-day, I think you will come to the unanimous conclusion that this work, above all others, should be undertaken at the earliest possible moment. I believe it can be constructed at a much less cost, as compared with the estimated cost of former years. We know that dynamite and other explosives at the present time are of such a character that that hard rock at the Chats Canal would not be able to stand its power.

Under various circumstances and under every point of view, I think this matter should receive the favourable consideration of Parliament, as I believe it does pretty generally the unanimous approval of all sections of the Dominion. Meetings of boards of trade have discussed the project and there has been but one opinion expressed, that it is a work which will contribute more to the prosperity of the country than anything in the past. We have, of course, always remained aloof, we have always given way and allowed other great works to be proceeded with. It was not altogether our wish, but it was a circumstance over which we had no control; we gave in and assisted, as far as we could, in prosecuting every public work which has been undertaken in this country. The Sault Ste Marie Canal, the Welland Canal, the Canadian Pacific Railway, and all these great works have taken our attention and have prevented this other, more important than all, from receiving due consideration. In the old days, when Sir John Macdonald was leader of this government, thirty years ago, he took a very lively interest in this question and gave it all the support that was in his power; but, owing to financial difficulties and circumstances which I have related, it was utterly impossible for him to carry it out. But, I believe, if he were living to-day and found the requirements so great as they are at the present time, we would have his powerful aid in carrying this project to a successful termination. I will not enlarge upon the subject just now, but I will read the evidence of practical men—engineers and societies, and men of note—to show their opinion of the importance which this canal will have commercially and from a military point of view, respecting the defence of the country, and when you hear that, I believe you will agree with me that, this matter, being one of such great importance, our paternal government will take the matter into their earnest consideration, and they will do as they have done on previous occasions, extend their powerful influence and aid for the purpose of carrying it into effect. I shall now tell you the opinion of the engineers who took the survey in the years 1858 and 1860:—

As has been pointed out, Nature herself has already done the greater part towards providing such a system of navigation on the Ottawa route; and to much of the remaining distance, the con-

cluding words of the quotation are markedly and particularly applicable." Mr. Clarke, the engineer, says, "On the greater part of the river where the water is required to be raised, the shores are bold, and the desired lift would overflow but little land. Here we have only to raise the natural dams or reefs of rocks to the desired height by artificial structures thus restoring a condition which possibly existed before the ceaseless rush of the waters or glacial action had worn the rock dams down to their present state." "Fortunately, every existing condition favours this mode of construction. The bed of the river consists of hard crystalline rocks, worn smooth and generally free from boulders; and the shores of the same material rise abruptly on either side, diminishing the length of dam required."

And Mr. H. K. Wicksteed, C. E., says: "The greater portion of the route is admirably adopted for a waterway, having rocky walls which approach one another very closely at points, and affording magnificent opportunities for the creation of reaches of slack water by means of dams across the valleys of streams."

Mr. Walter Shanly, the prominent Canadian engineer, after a glowing eulogy of the physical advantages of the route, says: "To those who have made the laws that govern the movements of western traffic their study, I have it to estimate the height to which Canada would be elevated in commercial importance by opening through the heart of her dominion a continuous navigation, shortening by fully one hundred and fifty miles, the shortest water communication that now does or ever can exist besides between tide-water, whether in the Gulf of St. Lawrence or in the estuary of the Hudson, and the broadest extent of grain growing country in the world."

Speaking generally of the system, Mr. Shanly says that fully one-fourth of what he classes in his report as the river navigation of the Ottawa route might justly be put down as lake "having width and depth sufficient to admit half a dozen vessels as big as the Great Eastern running side by side."

Surveys of the route were made as early as 1858-1860 under the directions of the Dominion Government, plans and maps of which are now in the Department of Public Works of Canada. Two plans of improvement of the navigation were submitted, viz.: those of Mr. Walter Shanly and Mr. T. C. Clarke. The latter resorted much more freely to improvement of the natural watercourse by dams in preference to construction of canals; thus producing long stretches of slack water connected by locks at the points of greatest descent. To this method the nature of the several rivers traversed, as already stated, is extremely favourable, the banks being generally high, and the amount of land flooded in any case small. Mr. Clarke's estimate called for 29 miles of canal between Georgian Bay and Montreal at a cost, (excluding Lachine Canal, already constructed), of \$12,058,680 or about £2,400,000. His report is to the effect that of the 430 miles total distance, 351.81 miles are already a good natural navigation, and require no improvement; and that it is perfectly practicable so to improve the remaining 78.95 miles as to convert the whole into a first-class navigation for steam vessels, and reduce the length of canalling required to 20.82 miles exclusive of the Lachine canal. Adopting a 12-foot channel as

that best adapted to the route, his estimate at that time (1860) was that the cost of completion of the whole navigation on that scale would be less than £6,000 per mile.

Several points are to be noted as affecting this estimate:

1. Since it was made the St. Anne's and Grenville canals have been enlarged to nine feet in depth completing a channel of that depth as far as Ottawa City, a distance of 116 miles. About £1,500,000 have been spent to date on the improvement of the navigation of the lower reaches of the Ottawa River. While above the city of Ottawa £80,000 have been expended on the Culbute canal, the benefit of which the company will receive.

2. At the time of the survey, for many miles of its course, the route traversed an unbroken wilderness, accessible in summer only by means of canoes and in winter on snowshoes. Now the Canadian Pacific and other railways run contiguous to it for 380 out of the 430 miles, and afford the greatest possible facilities for getting in all needed supplies. Owing to this fact also work can be prosecuted to advantage at numerous points at the same time, and thus pushed rapidly to completion.

3. Improvement in methods and means of excavation and canal construction since that time will lead to a great diminution of the cost for work of that nature. According to Mr. Clarke's estimate the total amount of excavation and dredging necessary to complete a 12-foot channel is a little over 4,000,000 cubic yards. His calculations were made on the basis that 2,370,190 cubic yards of rock excavation would be required at a total cost of \$3,940,875, being an average of \$1.66 per cubic yard. Warner Miller, President of the Nicaragua Canal Company, in a recent article on the Nicaragua canal undertaking, says: "The cost of rock excavation has been reduced in actual practice in the great drainage canal now being constructed at Chicago to less than thirty cents per yard." Supposing the excavation on this route, from the hard nature of the rock met with, to cost twice that much, or sixty cents a yard, there would still be a saving effected over the original estimate of over \$2,000,000 or £400,000, provided no additional excavation were found to be necessary.

Mr. R. Adams Davy, C.E., in reporting on the project in November, 1894, from personal knowledge and examination of the route, and after carefully going over the several plans and surveys made by the other engineers mentioned estimates that the cost of construction for a canal of ten feet draft should not exceed \$15,000,000 or £3,000,000; and that the time occupied in its construction need not exceed three years.

While a channel of from nine to twelve feet depth has been considered sufficient for present needs, an important item in estimating the cost of the work is the prospective cost of enlargement to a ship channel of say 16 to 20 feet in depth when the traffic shall demand it. On this point Mr. H. K. Wicksteed, C.E., says: "The difference in cost between a route for 18 feet navigation and one for nine feet navigation is not nearly as great as in ordinary cases. If made for the latter probably 75 per cent would be available for the former without further improvement."

A route possessing such material advantages over all others in point of directness, shortness, saving of time effected, cheapness, and safety must be a

strong competitor for through traffic from the day it is opened, and will at once absorb a large share of the eastbound trade. Thus it must become the great route for the grain traffic which has its source principally in Lake Michigan and Lake Superior ports, the latter alone sending out nearly 80,000,000 bushels a year of grain and grain products, an amount which will undoubtedly double within 10 years. The diversion of grain traffic to the Ottawa route must result in cheaper return rates for freight from Montreal owing to the number of vessels that would seek westbound cargo at that point, while the operation of the same cause must lower ocean rates to and from Montreal, since grain would be shipped from that port in large quantities that now finds its way to New York by rail and the Erie canal. British and Canadian interests would be best served by the Ottawa route, which is preferable to all others, in that they are one and all side-track Montreal for the benefit of New York, while it directly tends to increase the importance of Montreal as a distributing point for the northern part of the continent.

It is 575 miles from the entrance of Lake Michigan to Buffalo, (which port of transshipment is 495 miles from an ocean port); while the total distance from the same point of departure to the head of ocean navigation at Montreal via the Ottawa is only 635 miles. In other words a vessel leaving Chicago would reach the Atlantic market at Montreal in 50 or 60 miles more than it now takes her to reach Buffalo.

The distances between Chicago and Liverpool by the several routes are as follows:—

1. Via Erie Canal,	Miles.
Chicago to Buffalo	920
Erie Canal to Albany	350
Hudson River to New York ..	145
New York to Liverpool	3,080
	4,495
2. Via the St. Lawrence,	
Chicago to Montreal	1,348
Montreal to Liverpool	2,800
	4,148
3. Via the Ottawa,	
Chicago to Montreal	980
Montreal to Liverpool	2,800
	3,780

or over 700 miles less via the Ottawa route than by way of the Erie.

3. Less canalling is required on the Ottawa route than on any other. According to the plan submitted by Mr. T. C. Clark, C. E., only 29 miles of canal are necessary on this route as against 71 on the St. Lawrence and 351 on the Erie. Estimating one mile of canal navigation as equivalent in point of expence and delay involved to three miles of open river and lake navigation, the routes will compare as follows:—

From Chicago to Atlantic tide water, via
1. Ottawa route, 980 miles, $(951 + (29 \times 3) = 87)$ equivalent to 1,038 miles of open river and lake navigation.
2. St. Lawrence route, 1,348 miles, $(1,277 + (71 \times 3) = 213)$ equivalent to 1,490 miles of open river and lake navigation.

3. Erie route, 1,415 miles, $(1,064 + (351 \times 3) = 1,053)$ equivalent to 2,117 miles of open river and lake navigation.

4. Calculating the average rate of travel at four miles per hour for canal and 12 miles for open river and lake, the time consumed on the several trips will be (allowing for lockage at the rate of $1\frac{1}{2}$ minutes per foot).

1. Via Erie to New York—	Miles.	Hrs.	Mins.
Lake and river..	1,064	88	40
Canal.....	351 (655 ft. lockage)	104	05
Total		192	45
2. Via St. Lawrence to Montreal—	Miles.	Hrs.	Mins.
Lake and river..	1,277	106	25
Canal.....	71 (553 ft. lockage)	31	35
Total		138	
3. Via Ottawa to Montreal—	Miles.	Hrs.	Min.
Lake and river...	951	79	15
Canal.....	29 (666 ft. lockage)	23	55
Total		103	10

showing a saving of nearly four days over the Erie route and one and one-half days over the St. Lawrence.

The importance of this element cannot be overestimated. It has been well said by a writer on the merits of the route, "In the present age it will not do to expend as much time in running a cargo to New York by one route as it would take to reach Liverpool by another." While a cargo of grain shipped by the southerly route is losing nearly five days in passing through the 350 miles of the Erie canal, another shipped at the same time via the Ottawa would be well across the Atlantic on its way to Liverpool.

So great a saving of time on each trip will permit a larger number of trips to be made during the season than by any other route. Mr. Shanly has estimated this gain at two full additional trips, while others have thought three probable. The season on the Erie route is somewhat longer, but since Montreal is practically the most northerly point on the system, the length of season during which the Ottawa canals will be open will be about the same as that of the Sault Ste. Marie canal, or an average of 210 days in the year. The proportion of work in hauling of freight to amount of capital invested in shipping, elevators, etc., being materially increased by the added trips possible, there will be an important lowering of rates of transportation from this source.

5. The vital necessity of the grain export trade is the cheaper transportation which the Ottawa route can alone afford. Although the bulk of freight carried by railroads annually increases, and with it their expenditures, yet the amount of service required to be performed to ensure the same return grows proportionally larger, so that the "additional receipts have failed to yield any additional profits." A succinct explanation of this fact is offered by Mr. J. Law Crawford, when he says "the root of the disease lies in the carriage of heavy non-remunerative freight." It is this heavy

and cheaply-carried freight that adds most to the railroad's expense for maintenance, rolling-stock, etc., and taxes its capacity to the utmost, while making no corresponding addition to dividends. And it is precisely in relieving of railroads from this non-remunerative traffic that waterways have their most important function. For freight can always be conveyed by waterways at about one-third the cost of railway transportation. While the average freight rates per ton-mile on seven leading trunk lines of railway in the United States between Chicago and the sea-board declined from 29 mills in 1865 to 6 mills in 1888, lake rates have sunk as low as one mill per ton-mile and river rates to twice that. And though freight has been carried at the lowest remunerative prices under existing conditions, and even sometimes at heavy loss owing to ruinous competition, in 1893 the average freight rate on American railroads was 9 mills per ton-mile, and that on eighteen of the principal roads 8 mills. The average rates on wheat from Chicago to New York by the several American routes for the last eight years have been:—

Cts. per bush.

1. Via lakes and Erie Canal...	6 19
2. Via lakes and rail.....	8 96
3. Via all rail routes.....	14 55

Making all due allowance for lack of return freights at the outset it is calculated that wheat should be laid down in Montreal by the Ottawa route at a cost for transportation from Chicago not to exceed three and one-half cents per bushel, or two and one-half cents per bushel less than the lowest prevailing rates. Experienced forwarders have estimated that a rate of one and three-quarter cents per bushel between French River and Montreal will afford remunerative employment to fleets consisting each of a powerful steam tug with convoy of three barges having a combined capacity of 180,000 bushels. This added to a rate of $1\frac{1}{4}$ cents (or about 1 mill per ton-mile from Chicago to French River) would give a through rate of only *three cents*, or nearly six cents a bushel less than the average cost of transportation to Buffalo by the Lakes and then to New York by rail.

6. In addition to all other advantages the Ottawa route is safer than any other and freight carried through it will be subject to the least risk possible. From the mouth of Lake Michigan vessels will pass under shelter of Manitoulin Island to the mouth of French River, avoiding altogether the dangers of southern Lake Huron, the shallow and dangerous Lake Erie, Lake Ontario, and the currents and shoals of the upper St. Lawrence and Lake St. Francis. From Sault Ste. Marie, with the exception of a few miles on Georgian Bay, the route will be on landlocked waters continuously to Montreal. Grain will not only be *insured at minimum rates* on this route, but passing through the cool deep waters of the Ottawa in so much shorter time, will *reach market in better condition* than if shipped by the Erie.

The St. Lawrence route lies for a great part of its course on the boundary line of a foreign country, and should difficulties with the United States arise would almost inevitably be at once rendered

useless as a means of communication with the upper lakes. The remoteness of the Ottawa from the boundary rendering it comparatively safe from interference in case of international complications, it would be of great military importance to the Empire. When once enlarged to 18 or 20 feet in depth, a work which must inevitably be performed, many of the smaller vessels of the British navy, lightened of their guns, could proceed from Montreal by its means to lake Huron, and thence easily, from French River as headquarters, control Lakes Erie, Huron, Michigan and Superior. *appearing before Chicago in little more than a hundred hours after leaving Montreal.* The enlargement or extension of any other route to the neglect of this would only the more surely place Canada at the mercy of the United States, but the opening of the Ottawa could not fail to give her a great advantage in the negotiation of future treaties as to international waterways. And it would prove not only a source of military strength in case of war, but would be an indirect protection by affording an additional incentive to the preservation of peace, so firmly would its great commercial importance to the Western States bind them, in the furtherance of their own interest, to such a policy as would ensure the freest possible passage to their products on the way to Eastern markets. Restrictions imposed on Canadian traffic passing through the Sault canal have led to the construction by the Dominion Government of a canal on the Canadian side of St. Mary's River. This canal, opened in 1895, cost \$3,000,000, and has one lock 900 feet long, 60 feet wide, and 20 feet 3 inches deep. Its completion when supplemented by the Ottawa River navigation will give Canada an independent course to the sea entirely through her own territory and the least subject to interference from without of any possible route.

And the late Hon. Alex. Mackenzie, for some time Premier of Canada, expressed himself thus in an able address on Confederation: "I am convinced that the true route for a canal to the Georgian Bay is up the Ottawa, because that would be giving a great backbone to the country. If we had a fine canal capable of carrying vessels of war in that direction, it would be a splendid means of defence, as well as a great highway for the commercial products of the West."

There is and long has been an active public opinion in the Ottawa valley and elsewhere in Canada in favour of this work and no dissentient voice as to its feasibility and desirability. The Right Honourable Sir John Macdonald, G.C.B., late Premier of the Dominion, and the most eminent of Canada's statesmen, classed the opening of this route as equal in importance with the building of the Canadian Pacific Railway. "The Ottawa Ship Canal and the Pacific Railway must be constructed and no voice would be raised against the great national work which would open the Western States and the colonies to the seaboard," were his words on one occasion.

Hon. Alex. Mackenzie at another time said: "I am perfectly satisfied that the Ottawa valley presents the greatest facilities of any route upon the continent for the transportation of the products of the North-west to the Atlantic Ocean."

Hon. Joseph Aldric Ouimet, present Minister of Public Works of Canada says: "I am a believer

myself in the feasibility of the scheme and its financial success."

Sir William Van Horne, of the Canadian Pacific Railway Company, has expressed himself as being favourable to the construction of the canals, insisting that this is the natural route between the upper lakes and lower St. Lawrence, and that it should be opened at the earliest date possible. And believes that the country would be greatly benefited by it, and that it would be of great assistance, and certainly no injury to his Company.

Its importance as a factor in the development of the Canadian North-west can hardly be over-estimated. Mr. B. E. Walker, General Manager of the Canadian Bank of Commerce, recognizes this fact, as well as the financial importance of the question of opening the route, in the bank's annual report for last year. Referring to the wheat trade, he says: "Doubtless as with most of the world's products, the question is one of transportation. The great question which is agitating many people in Canada and the United States is the possibility of a better water transit. Can we not improve upon the Erie canal as a means of getting to the sea-board? Are we to see the foreign-bound traffic of the upper lakes deported at Buffalo, or are we to try and secure that traffic, and what is more important, provide the necessary cheaper transportation to our North-west provinces?"

Mr. A. M. Wellington, hydraulic engineer, and one of the editors of the Engineering News of New York, giving an opinion as to the feasibility of the undertaking, says: "My conviction that the Ottawa River affords the best opportunity on the globe for a well-planned canal is a fixed one."

General (afterwards Field Marshall the Right Honourable) Sir John Michel, at one time Commander in Chief of Her Majesty's Forces in Canada, several years ago in a public address at Ottawa said: "I believe that the ties which happily unite Great Britain and Canada will be closer drawn by the opening of this route. I believe that the commercial development which would be produced would be incalculable. I believe that America and Canada and consequently Great Britain would be so commercially allied by the opening of this route that the grand object of all true lovers of either of these countries would be attained, namely the certain peaceful dispersion of every little cloud that might arise in the political horizon of North America." Speaking of the position of Montreal, he further said: "You are placed in a position held by no other city that I know of in the world. You are placed on the only spot on a vast continent which can be made the receiving house of one-third a continent's exterior trade, and able to despatch that third to Europe. But you are unsafely situated. The grand route to the sea by the Ottawa and French Rivers should as soon as possible be undertaken, giving you a backbone of military strength, and bringing to your doors the vast trade of the vaster west."

A most significant feature of the export trade in breadstuffs from this continent is the rapid increase in shipments of flour, a fact clearly pointing to the possibility of the establishment of a milling industry of gigantic proportions on the Ottawa River when its vast water power shall be rendered available, and at the same time given the best possible shipping facilities by the opening of the shortest of all routes to the sea.

With regard to the development of electrical energy from the various water powers along the route: "It would be difficult to find, on this continent at any rate, a similar succession of waterfalls along a like distance, and through a country so well favoured for manufacturing purposes. With the methods of long distribution of the electric current that are now being perfected by Tesla and others, there is no reason why sufficient energy should not be generated along the Ottawa and its tributaries, not only for local purposes along the route, but for the operation of the Canadian Pacific and Canada Atlantic and Parry Sound Railways between Georgian Bay and Montreal."

At the present time when the application of electric energy to the processes of manufacturing and to transportation, heating, lighting &c., is making rapid strides every day, it would be rash to attempt to treat in any other than the most general way the subject of the value of the enormous water power on the Ottawa River and its tributaries for the generation of this force. There seems little reason to doubt that wherever water power is readily available it will in the near future be turned to account in this way, superseding steam in most of its ordinary employment as a motive force. In the hydraulic powers along its route therefore, there is every reason to believe that the company will be possessed of a resource of inestimable value.

Nor is the diversion of an existing traffic of such immense and rapidly increasing proportions the only prospective source of trade along the route, for its opening will develop resources of inestimable richness. Bouchette, writing in 1832, estimated that the Ottawa valley is capable of supporting 8,000,000 people; its present population is about 400,000. In salubrity of climate, fertility of its well watered valleys, transparent purity of its trout-filled lakes and brooks, wealth of mines and forests, and variety and value of resources no like tract of country in Canada can surpass it. Thus, vessels carrying grain eastward would find return cargoes of lumber for lake ports. Chicago is the great centre of distribution for lumber on the continent. As long ago as 1883, according to a speech delivered by Mr. Joseph Tassé in the Canadian House of Commons, its receipts by lake and rail were 1,909,910,000 feet, of which more than 1,065,000,000 were re-shipped, railroads receiving \$4,000,000 and ship owners \$3,000,000 for transportation. The route *passes through the heart of one of the richest lumber districts of the continent.* Michigan and Wisconsin pine woods are being rapidly exhausted and a large traffic in lumber must be developed along this route from the heavily timbered districts of northern Ontario and Quebec to Chicago and other lake ports for distribution to the great prairie States of the west.

The country passed through possesses not only vast stores of pine, but also maple, spruce, hemlock, poplar, balsam, white cedar, tamarac, birch, beech, oak, elm, ash, basswood, and other woods of commercial value and used in rapidly increasing quantities in the manufacture of furniture, finishing of houses, making of pulp, &c. The growth of the last named industry has been very rapid, and low freight rates would create new facilities for its successful carrying on. Thus the exports from Canada of wood pulp have increased from nil in 1889 to \$386,092 in 1893 and those of wood for

pulp from nil to \$455,893 during the same period. Millions of acres of fertile land in Northern Ontario now covered with timber will with the advent of cheap transportations fill up with settlers; and in Algoma, Temiscamingue and Nipissing Districts many thousands of people will make homes. Mining and smelting operations, the requirements of manufacturing, and of the population will give rise to an ever increasing demand for coal; and an important feature of the traffic in the near future will be the carriage of coal from Lake Erie ports to points on the system, and to French River as a coaling station for vessels engaged in the grain trade, with return traffic of lumber and ores from the rich timber and mineral regions along the route. Mining is yet in its infancy in the Ottawa country, but researches made up to the present time have shown it to be possessed of incalculable stores of mineral wealth. Within a few miles of the city of Ottawa are immense quantities of iron ore of great richness. The nickel and copper deposits of the Sudbury region are already famous; and at many points the Huronian formation which extends for long distances has been found to abound in minerals. Gold, silverbearing galena, zinc, platinum, tin, molybdenum, graphite, apatite, mica and iron are found, and to some extent already mined. Fine granites, sandstones, roofing slates, serpentine and dolomitic marbles, etc., are among the non-metallic mineral resources of commercial importance awaiting development; and the carriage of ores, building-stones, marbles, granites, etc., must in a short time afford the source of considerable revenue to the canals.

The four items already mentioned, viz.: grain, lumber, coal and ores contain almost 90 per cent of the traffic of the great lakes, and the bulk of the traffic of the Ottawa route will no doubt be derived from the same sources.

The Ottawa River navigation system has its outlet at the port of Montreal, the head of Atlantic Ocean navigation, there being a channel of 27 feet and 6 inches in depth from that point eastward on the St. Lawrence. At Montreal, it reaches:

1. An ocean port over 300 miles nearer to Liverpool than New York is.

2. The Grand Trunk, Canadian Pacific, Central Vermont and connecting systems of railway to New York, Boston, Portland and Halifax, and all intermediate points in New England, Quebec and the Maritime Provinces.

3. An existing waterway to New York via the St. Lawrence and Richelieu Rivers, Lake Champlain and the Hudson River, the highway for the lumber traffic from the Ottawa district to New York.

The construction of 32 miles of canal from a point on Lake St. Louis to the level of Lake Champlain at St. Johns on the Richelieu River, and the enlargement of the Champlain canal from the south end of Lake Champlain to the Hudson River, in connection with the completed Ottawa route would afford a waterway between Chicago and New York 70 miles shorter than the Erie, and, with 230 miles less of canal, 100 miles less than the route via the Welland canal and the Erie from Oswego and with 110 miles less of canal, and 250 miles shorter than the St. Lawrence and with 45 miles less of canal. The respective distances be-

tween Chicago and New York, by such routes, being as follows:—

—	Canal.	Lake and River.	Total.
	miles.	miles.	miles.
1. Via Ottawa and French Rivers and Lake Champlain.....	120	1,288	1,348
2. Via Erie Canal and Hudson River. . . .	350	1,065	1,415
3. Via Welland Canal and Erie from Oswego...	230	1,215	1,445
4. Via St. Lawrence route.	163	1,441	1,604

By the completion of such waterway in connection with the Ottawa route the distance from Chicago to New England ports on the east side of Lake Champlain would be lessened to 1,000 or 1,100 miles, with only 53 miles of canalling, as compared with a distance of 1,300 or 1,400 miles by the Erie, with no less than 420 miles of canal.

Now, hon. gentlemen, I have given you, I think, some valuable information with respect to the matter, and I hope the Government will decide to have this work undertaken at the earliest date possible. Its advantages cannot be over estimated. In the present condition of affairs I think it is well worthy the attention and consideration of every statesman in the country. It will only take three years, and perhaps that will be reduced by the new method of explosives.

Hon. Mr. SCOTT—The friends of the commerce of Canada—and they mean, I fancy, the whole Canadian people—are under an obligation to the hon. senator from the Rideau division for bringing prominently before the notice of Parliament and the people of this country, the many advantages attending the construction of a canal via the Ottawa River. It is a project as the hon. gentleman has explained, which enlisted the attention of the public men of this country over 40 years ago. It is now nearly 40 years ago since I, myself, took a great deal of interest in this subject, and a vote was obtained from the Parliament of United Canada with a view of carrying out the work. The beginning was made at the Chats canal, and it was only the unfortunate depression which set in 1858 and 1859 which prevented the further prosecution of the work. The advantages of this route were so nu

merous that it was quite impossible for any party to refute the many advantages that would accrue to Canada and to the Great North-west from the construction of this canal. I will just mention one or two prominent points, because my hon. friend from the Rideau division has gone into it so exhaustively that it would be scarcely fair to go over any of the ground which he has covered. The distance from Chicago to Montreal which would be saved by the Ottawa route would be 368 miles: but the saving in distance really is a very small item in the difference in value of the two routes. One is a land-locked route. Those who have traversed—and I daresay there are many here who have—Lake Huron and Lake Superior, and have gone up by the way of St. Mary's River, will remember that on the North side of Lake Huron there are about 10,000 islands and from the time you leave Sault Ste. Marie until you reach the city of Montreal vessels taking the Ottawa route would be entirely protected from storms, passing between the islands on Lake Huron and the north shore of Lake Huron, up through French River, across Lake Nipissing and into the Mattawa, down the Mattawa into the Ottawa and thence to Montreal. The advantage in the way of protection to vessels is incalculable. The insurance on vessels that now take the ordinary lake route—that is, coming from either the North-West or from Chicago via Lakes Huron, Erie and Ontario—is very great. The amount paid for premiums is extremely large. I have not the figures before me at the moment, because I was not aware that this motion was coming up to day, but it would pay a very large proportion of the interest on the cost of the work, in the fall of the year more particularly. In the months of September and October the gales on Lakes Erie and Huron particularly are very severe. The problem of cheapness in transporting the wealth of the Great North-West—not only our Canadian North-west, but the United States North-west—is to-day engaging the attention not only of Canada but of the United States. It is very well known that there is a joint commission sitting at the present time with a view to discover by what means the cheapening of the carriage of grain can be best reached in order to warrant the further growth of grain in the North-west. We know, to-day that a

very large amount of grain, both in the Canadian North-west and in the Northern and Western States, will not be moved in consequence of the actual cost of transportation. The production of corn alone in the Western States this year reached the enormous quantity of 2,500,000,000 bushels, and a comparatively small proportion of that will ever reach tide-water, owing to the very great cost of transportation. A saving say of five cents per bushel on a hundred million bushels would mean five million dollars, which would be an enormous item. If we could save even three cents a bushel to the farmers of the North-west, we should have gained immensely. The increase of even that small amount would be a great boon to the producers in that country. The city of Montreal, of course, is the point that would be most largely benefited, because the city of Montreal is nearer to tide-water from the great North-west than is the city of New York. Taking Chicago and New York as points, and Chicago and Montreal as points, the difference in favour of Montreal is 520 miles. There is that saving in distance. There is the advantage of being land-locked, and therefore the enormous saving of insurance. There is the advantage of vessels of a smaller calibre having the opportunity of being employed as between the land locked channel and the great lakes. Now, it is a very singular circumstance that the early discoverers of this country were all aware of the best routes to be taken. The Hudson Bay people invariably took the Ottawa route; they took the very route we are now discussing from the city of Montreal, ascending the Ottawa River and into the Mattawa, through Lake Nipissing and down the French River into the northern part of Lake Huron and through the land-locked waters I have described, to Sault Ste Marie, and thence to Fort William. That was the route taken 270 years ago by Champlain. He was guided by a Huron. That was the ordinary, recognized route. We do not seem to have been able to improve upon the knowledge that those who occupied or lived in this country centuries ago possessed. The only reason why this work was not gone on with, as I explained, was the embarrassment in which United Canada was, because of the work to which the country was committed. We expended a considerable sum of money on the Chats Canal, but were unable to go further on account of that embarrassment.

Canada was paying eight per cent for money, and to-day she pays less than half of that; so that the raising of the money to-day would cost this country less than it would then by 50 or 60 per cent at least. Another reason was that the people of Canada who lived along the St. Lawrence and the great lakes were asking for work to be done, and much greater interest was taken in the development of canals along the front. The Ottawa country had, at that time particularly, very few representatives. There were none above the county of Pontiac. The gentleman who represented that county at that time, John Egan, took a very warm interest in that project, and it was largely due to him and the Hon. John Young, and some other leading representatives from Montreal, that the attention of Canada was at that time directed to the importance of this work, and then, I presume, one of the reasons why it was allowed to linger was because Canada had to embark in the expenditure due to the erection of the government buildings here. That was a considerable item in those days. To-day, possibly, with our improved financial position, it would not be a stumbling block but at that time it was used as an argument that the Ottawa district was being largely benefited by the construction of the parliament buildings, and therefore the canal project should be postponed. The time has now come, I think, when we should be amply justified in making the fullest inquiry into the feasibility and the cost of the work. The tables which have been already prepared would be material of some value, but there are one or two points which would require solving. The country since that time has largely filled up. On the north side of Lake Nipissing a town has grown up known as North Bay, and other towns are springing up. I am speaking subject to correction, but there may be difficulties in the way of the construction of dams which did not exist 35 or 40 years ago. That, of course is a very important point, but I have no doubt that with the skill which hydraulic engineers possess, even that difficulty might be overcome. I have no doubt that when the papers come down they will be read with a good deal of interest. It is literature which at this period, those who are interested in the commerce of the country are taking a very deep interest in, and we should all be obliged to the hon. member for

the Rideau division for having brought it so prominently under our notice.

Hon. Mr. BOULTON—I do not like to allow the discussion raised by my hon. friend on my left to pass without making a few remarks with regard to the question. I am always glad to lend my support to the construction of those useful public works, upon which the development of Canada depends, and more particularly, coming from the North-west, we, as producers in that great country, are interested in anything that will promote cheaper transportation, more direct routes, and better facilities for the increasing traffic which we hope will take place annually. The route which has been the subject of discussion to-day is one of very great importance, not only to our North-west country, but it is of importance for the development and the carriage of the grain which comes to Chicago and Duluth, two collecting points, for the immense prairies to the south of our boundary line. Unfortunately, we have experienced, for the past few years, that we have not been able to attract any very measurable quantity of the transport of this heavy produce, which is a direct loss to the country in consequence. What the reasons are, the people of the country themselves must be the best judges. That our own grain from the North-west Territories does not reach the British markets for which it is destined, through Canadian ports, is a remarkable point; that while we are constructing public works while we are attempting to develop our country and open up new channels, yet two-thirds of the grain of our North-west Territories and the Province of Manitoba shipped to England for consumption, go through the port of New York, instead of Montreal. There is something wrong when that is the case. I asked for information with regard to the exact figures in order that I may be able to discuss that question, and ascertain why it is so. But the development of this canal route that is now before us is an additional incentive for us to take such measures as will give us a route through Canadian territory and a magnificent outlet by the St. Lawrence River, one of the important channels of communication—if not the most important channel of communication—between that great empire to the west of us and the Atlantic seaboard. My contention, as hon.

gentlemen always know, is that the freight rates to the Atlantic are the stumbling block, that it is utterly impossible for us to make any considerable improvement, to afford any additional facilities for the transportation of the western products, be it to Duluth, Port Arthur or Chicago, unless the conditions under which we conduct our commerce are changed. The absolute necessity of having the ocean transport at those ocean ports, for the purpose of taking away the grain, is the only intelligent basis upon which we can solve this question. It is utterly impossible for us to draw the trade away by canal or by any other source, unless we have facilities, through the development of our commerce under more liberal trade lines than we are pursuing to-day, or that we can hope to make a financial success of the construction of the canal that is under consideration. We have however, an additional incentive in the opening up of this canal, and that is that along its whole route are magnificent water-powers, which can all be developed for commercial purposes. It is practically the boundary line between the province of Quebec, for the larger portion of the distance, and the province of Ontario, and to the north and south on the streams that run into it there are also many valuable water-powers. These can be used for the internal development of the industries of the country; but they still hang fire, and will remain unused so long as the commercial conditions under which we are operating to-day exist; at least that is my presentation of the case. Nevertheless, the very fact of our trying to bring these water powers and this new line of communication into operation, is one of the best evidences that the people of Canada at any rate are desirous, according to the light they possess to-day, of doing their utmost to further these magnificent and necessitous public works.

The motion was agreed.

THE STANDING COMMITTEES.

MOTION.

Hon. Sir MACKENZIE BOWELL moved—

That the name of the Honourable Mr. Prowse be substituted for that of the Honourable Mr. Ferguson (P.E.I.) on the Standing Committee on Divorce, and that the name of the Honourable Mr. Ferguson (P.E.I.) be substituted for that of the Honourable Mr. Prowse on the Standing Committee on Bank-

ing and Commerce, and that the name of the Honourable Mr. McClelan be substituted for that of the Honourable Mr. Arsenault on the Standing Committee on Railways, Telegraphs and Harbours.

He said: The Senate will remember that a mutual arrangement was made between the Hon. Mr. Prowse and the Hon. Mr. Ferguson, in connection with the Divorce Committee. The addition of Mr. Arsenault's name to the Committee on Railways and Canals was made under the impression that the committee was not complete as it was printed in the minutes, but on looking at the report of the committee which drafted the committees, we found that Mr. McClelan's name was among the number, which completed the committee, and in order to carry out the intentions of the selecting committee, the change is now made.

Hon. Mr. McCLELAN—With regard to the substitution of my name for that of my hon. friend from Prince Edward Island, it is not done on any suggestion or application from myself. I was quite aware that originally my name was on that committee. I noticed afterwards that it was omitted, but I had no feeling about the matter—I understood that it was a printer's blunder in all probability, but I had no desire to interfere and have it changed.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, February 11th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

RELIEF FUND FOR THE NORTH-WEST TERRITORIES.

INQUIRY.

Hon Mr. PERLEY inquired—

If during the visit of the Honourable Sir Mackenzie Bowell and the Honourable Mr. Daly to Regina, last summer, or at any subsequent period, did they promise the North-west Territories Executive, or the Lieutenant-Governor of the North-west Territories, that the sum of \$25,000 would be

placed in the Estimates to recoup the Executive of the North-west Territories for moneys spent for relief purposes, so-called, in West Assiniboia?

He said: I have but a remark or two to make, which will depend upon the answer which I receive to the question.

Hon. Sir MACKENZIE BOWELL—I may inform the hon. gentleman that the question to which he refers was freely discussed by Mr. Haultain, Mr. Daly and myself when we were in Regina last summer. We discussed not only the question of the \$25,000, but many other questions affecting the government and management of the North-west Territories. Mr. Haultain and his colleagues—for he was not alone when the conversation took place—were informed that any representations which they had to make to sustain the claim that they say they have for an additional grant, would be duly weighed and considered by the Government.

Hon. Mr. PERLEY—I was informed that Mr. Haultain, during the session of the North-west Assembly, made the statement that the hon. Premier had promised the \$25,000. In that way he was enabled to carry through the estimates. That statement was made, not only upon the floor of the Legislative Assembly, but in different sections of the country—that the Government had promised them \$25,000. I am not surprised at the answer, since I have seen that there is no provision in the estimates for that sum. The reason that I connected the name of the Lieutenant-Governor with this matter was because of the policy announced by the government. I thought it would be necessary to couple the name of the executive and the Lieutenant Governor in putting the question in order to get a complete answer. The country will be interested to know that there has been a misunderstanding, and that the local authorities have not succeeded in getting the \$25,000 which they promised the people would be given by the Federal Government.

Hon. Sir MACKENZIE BOWELL—I omitted to notice that portion of the hon. gentleman's answer relating to the Lieutenant-Governor. I do not recollect having any conversation on this subject with the Lieutenant-Governor of the North-west Territories.

CIVIL SERVICE SUPERANNUATION.

MOTION.

Hon. Mr. POIRIER moved:

That an humble Address be presented to His Excellency the Governor General, praying that His Excellency be pleased to cause to be laid before this House:

A return showing the names of all Civil Service employees, belonging to the Secretary of State Department, and to the Department of Agriculture, who have been superannuated since the 1st day of July, 1894; also giving their age; the number of years they have been in the service; their salary and amount of superannuation allowance granted in each case.

In the case of employees not having reached the full age of sixty years, or who had not completed thirty-five years of service, the reasons for their superannuation, and the report of the Treasury Board in each such case.

Also the names, ages, and years of service of all employees belonging to the aforesaid departments to whom notice has been given of the intention to dismiss or superannuate them.

He said:—Hon. gentlemen, I do not intend to deal with this subject extensively. It has been brought before another House on a previous year and dealt with extensively. I simply wish to call the attention of the Government to the manner in which the Act is being carried out in some departments. The law is good enough, although it could certainly be improved upon, but in this case as in all other cases, it is the application of the law that makes the law either good or bad. The Act may be perfect in itself, and very objectionable in the way in which it is administered; a bad law in proper hands or any law at all, may turn out beautifully—the common law in England for instance, the unwritten law. In this case, I believe the law is all right enough. But I could not, for my own part, endorse the manner in which it has been generally executed, and especially of late years in the two departments to which I have referred in my notice. The Civil Service Act, as hon. gentlemen are aware, dates back to 1871. It was proper, I think, that this Parliament should provide for its faithful servants; and the Act worked satisfactorily, until abuses have crept in. In 1871, at the time of the passing of the Civil Service Act, the superannuation expenditure amounted to \$12,800, but we find that in 1894 the expenditure amounted to \$262,302. That is, there was that amount paid in the year 1894 in superannuation allowances to retired

officers. It seems at first sight extraordinary that the fund should have increased from \$12,000 in 1871 to \$262,302 in 1894. That is made still more startling when we see that while the total number of employes in 1894 is 4,685, of which 898 are in the inside service at Ottawa, and 3,787 in the outside service, 598 of them are on the superannuation list. That makes over one-eighth. Surely, hon. gentlemen, it cannot be that one-eighth of the civil servants are incapacitated from doing their work. But such are the figures. That state of things has brought adverse commentaries and criticisms, and, I believe, justly so, because there is, in my estimation, no justification for it. True, the letter of the law may warrant that, but I submit that the Superannuation Act, when it was passed, was not meant to have results such as those I have just given. Now, hon. gentlemen, \$3,770,963 have been paid to that fund between the years 1871 and 1894—23 years.

Hon. Mr. DEVER—You mean paid out to the retired officers?

Hon. Mr. POIRIER—Yes, paid out in annuities from superannuation funds. The receipts in the same period have been \$1,239,094. Hon. gentlemen know how the receipts are made out. A certain amount is taken from the salary of each employé, and is put to a reserve fund, from which it is afterwards drawn. Employés having a salary of less than \$600 paid to that fund annually $1\frac{1}{4}$ per cent, and those having more than \$600 pay 2 per cent according to the original law of 1871, which has been amended in some respects. That fund accumulated has altogether produced the sum of \$1,239,094, leaving a net sum of about \$2,500,000 paid by the country to the superannuation fund. I believe that is too much. If there was a necessity for that, it might not be too much, but I do not see the necessity for it. It has been assumed in many departments here that because the Act says that when a person has reached the full age of 60 years or 65, as the Act now stands, he can be superannuated, he should be in most cases superannuated. I submit that is not the spirit of the law. That privilege is given in the Act for the purpose of being used when necessary, but not to be used in all cases, or, I might add, to be abused. Now,

we all know that most of the work in the service is routine work, intelligent work, of course, and work in many cases very difficult to do, but mostly routine work. Now, an educated man, full of health, when he has reached the age of 60 years is certainly not incapacitated from performing those duties; on the contrary I submit that most of the employees here, when they are 60 or 65 years of age are still able—perhaps better able—to perform those duties than they were previously. We have in the Department of Agriculture just now, a gentleman exceedingly well fitted to occupy the position. He has been head of the department for a year, or perhaps less than a year, but what do we see? An officer superannuated because he was old, though he is hardly any older than the present holder of the office, and yet he is performing the work for which the other gentleman is paid. And what is the result? Two salaries instead of one. If the one who was superannuated must be there, and is the person that can and does do the most responsible part of the work, why not leave him there on his own salary, and not have another gentleman fill his place, and have two salaries instead of one? I just instance this example to show how what I consider abuses may creep in. But, hon. gentlemen, that is not the gist of my motion. In these cases, as I said before, the law is there authorizing a certain mode of dealing with the employes in the matter of superannuation. The section of the Civil Service Act which refers to the superannuation is especially section 5 which with your permission I will read. It is in chapter 18 of the Revised Statutes, the Civil Service Superannuation Act:

The superannuation of every civil servant shall be preceded by an inquiry by the Treasury Board:—

(a.) Whether the person it is proposed to superannuate is eligible within the meaning of this Act and

(b.) Whether his superannuation will result in benefit to the service and is therefore in the public interest, or

(c.) Whether it has become necessary in consequence of his mental or physical infirmity.

The subsection is as follows:—

No civil servant shall be superannuated unless the Treasury Board reports that he is eligible within the meaning of this Act and that such superannuation will be in the public interest.

That is, he must have been ten years in the service and have attained the full age of sixty

five. True, the ministers by the 5th and other sections of the Act are given full power to remove officials, but still I must say that that power is qualified by these preliminaries set forth in the articles which I have just read—an examination and a report by the Treasury Board, showing clearly that the intention of the Act was that civil servants should only be superannuated when it was deemed advantageous to the efficiency of the service that that should be done, or when those servants become incapacitated mentally or physically. Now, what is the fact? We see in the Department of the Secretary of State last year, on the accession thereto of the hon. gentleman who has since become the head of another department, that employes between the ages of forty and fifty, persons that I myself know were in possession of full vigour of life, intellectual and physical, have been put on the retired list. The object apparently—I am satisfied it was really the object, too, in the mind of the hon. gentleman who did it—was economy. A servant is placed on the retired list and the office may remain vacant for a while, but we all know that it is afterwards filled, or generally it is. In the event of the Liberals coming into power, an event which I will not suppose is likely, we know what would happen. Those people who are referred to in a remarkable letter written by Mr. Mackenzie as hungering after places, I have an idea would quickly fill those places. Whether they will be filled by the present administration or not, I do not know. The Department of the Secretary of State last year was thrown into consternation, and the whole Civil Service into a state of great insecurity. The fundamental security which our service has enjoyed was shaken; a rumour was current at that time that the policy of the same gentleman was to go round the Departments and superannuate employes in the prime of life for the sake of economy. That hon. gentleman was transferred to the department of Agriculture and on his arrival there I may say that the whole staff trembled as to the result. They had good reason to tremble. I did not seek for information from the civil servants themselves, not wishing to compromise any of them, because, if I could not help them, I did not wish at all events to injure them. I have not gone to any of them for information, but I believe it is true that a list was made out without any inquiry by the Minister as

to whether it would tend to the efficiency of the service or not and several from among the employes have been told that their services would have to be dispensed with, and among them I know some that have not attained the age of fifty, who are perfectly sound, mentally and physically, and fit for the duties of the offices which they have filled, and those offices have not been abolished. The work which they have been and are doing, will continue to be done. There are no complaints against them. If they had not performed their duty, there might have been some reason for taking such a course, but in some of the cases at least, there has been no dereliction of duty on the part of the employes. What is the consequence? The security which prevailed in the Civil Service exists no longer, and if, as is surmised, the hon. gentleman carries out his policy in the department, it is felt that the sword of Damocles is hanging over everybody's head. Nobody knows upon whom it will fall. We have boasted about the security of our Civil Service—a fact which speaks highly for our political institutions—that a party coming into power do not act as they do in the neighbouring republic and make a complete sweep. I believe we have pursued a proper policy towards our Civil Service, because the Civil Service is a class by itself. I do not say that many of them do not earn more than they might earn if they were out of the service, but we must acknowledge this, that a civil servant is not in the position of an ordinary citizen. The Civil Service comes in as a fixture with every government, and a Civil Service must exist. Most of the employes being related to the best families, being well educated and being near the throne, must have allowance which will enable them to figure with some show. Perhaps there are too many of them. I do not deny that, but I say if there are too many it is not altogether the fault of the employes but of the government that appointed them, and when they are appointed they should have the security of their office. These civil servants are not in the position of other citizens. When they enter the service they have to abide by the regulations of the department, one of which is that they shall not engage in other pursuits, so that if they have a secure living they have no chance of making money. That security is one of the reasons, perhaps, why positions in

the civil service are so much looked after—at any rate the employés are not permitted to engage in any other pursuit. There is a covenant as between them and the government that they should be left undisturbed in their position so long as they perform their duty. That has been so much the case that the law provided for instances where an employé would have to be dismissed on account of the abolishing of his office or for the sake of efficiency and economy, but giving them some material compensation, showing that if civil servants have duties they have also the rights and that due regard should be paid for the security of their position. Section 11 of the Civil Service Superannuation Act provides that—

If any person to whom this Act applies is removed from office in consequence of the abolition of his office for the purpose of improving the organization of the department to which he belongs, or is removed or retired from office to promote efficiency or economy in the Civil Service, the Governor in Council may grant him such gratuity or superannuation allowance as will fairly compensate him for his loss of office, not exceeding such as he would have been entitled to if he had retired in consequence of permanent infirmity of body or mind, after adding ten years to his actual term of service."

This clause shows distinctly enough what the intention of the law is—that the employé shall live securely in the office he holds until he has attained the age of sixty-five or until the office is abolished, or unless he is incapacitated. You see the consequence in the case, say, of an employé at the age of forty-five. That man, on the security of his office, may have undertaken, as many of the employés in Ottawa do, to buy for himself a house. He may have growing boys and girls to be educated, and he was counting, and he had a right to count, upon a certain income, because there was a covenant between him and the Government about it. Without any cause on his part, he is thrown out of employment, dropping from a salary of twelve or fifteen hundred or two thousand dollars to an allowance of three or four hundred dollars a year. That man is too old to go to work and learn a profession, or fall back upon a former occupation. We all know the competition that exists in the professions now. He has acquired easy habits, which prevent him, after ten years or more in the service, from engaging in an active life which is necessary for one to make his way in the world. On the other hand,

he feels that he is not old enough to be laid on the shelf. It is a broken career—unnecessarily broken. I am simply calling the attention of the Government to the fact, and arguing against dealing in that rash manner with faithful employés, even when they are not absolutely necessary in the service. I believe there are too many myself, but they have not gone there entirely of their own motion, but with the acquiescence of the government, and, having entered the service under a tacit covenant with the Government, they should be left undisturbed until they have attained at least the age of sixty-five. I do not believe the spirit of the law means that when a man reaches the age of sixty or over he must be put out of the service. That is the case in the army in France and Germany, though I believe it is not the case in England; but a civil servant is not a soldier. To be a soldier a man's physical powers must be unimpaired, but it is not so with the civil service. An employee of sixty-five or seventy may be as able and useful—often more so—than another at the age of forty or forty-five. I do not for a moment mean to say that the minister (Dr. Montague) meant to do an injustice in making these superannuations; on the contrary, I believe that he meant simply to be economical. But a minister entering a department is not, like a squatter entering upon a new block, to use it as he likes. As I said before, there are rights pertaining to employés. A Minister entering a department is not Louis the Fourteenth of France entering the Assembly with whip and spurs and saying "*L'état c'est moi*." The plea of economy is very fine and may be a justification in some cases, but it is not a justification in all cases. I read not long ago of a very Christian lady in London, or perhaps New York, who was exceedingly liberal in her donations to bazaars and charities. She had made for herself quite a reputation of being very charitable, but alas, it was found out that she was a kleptomaniac and most of those articles which had been given in charity had been picked up from the public stores. Her professed intentions were supposed to have been very charitable; but not so with the court before which she was arraigned. I know persons who have built up for themselves reputations for virtue, real virtue, actual virtue, I will name one historical person—the wife of Henry II. of France—not the wife—I take the word

back—the mistress of Henry II. of France. Henry II. of France happened to have for his mistress the very same mistress that his father had—a family affair.

Hon. Mr. DEVER—A family compact.

Hon. Mr. POIRIER—She had a great influence over her paramour. In order to build for herself a pedestal of piety and virtue, she would go and pick up heretics in the city of Paris and have them burnt at the stake to show that she was a great religious soul. No doubt many persons thought that she was; but history has not established that. I say, without making any insinuation, or making any undue comparison, that the policy which consists of taking your neighbours' goods and chattels, or rights and privileges, in order to show an economy for yourself will not build any durable reputation. There are other ways of diminishing the expenditure of the departments. Let a man finish his career in the department, so long as he is able to do it. And I say, and will say, referring to the 789 employés that are on the retired list now, perhaps not one-quarter of them went there willingly, but were forced there. I say, let the question of superannuation be dealt with in the manner suggested. Let a man complete the natural score of life, so long as he is able to do it. Let these employés be undisturbed, and, hon. gentlemen, you will gradually, in a short time make such a saving as will balance the expenditure for the superannuation fund, and the revenue derived from cutting off of 2 and $1\frac{1}{4}$ per cent of the salary. But it is not by dealing harshly with employés, or dismissing them without an investigation of the case, that the Civil Service can be rendered more efficient. I may be wrong, but I was positively told that the minister in no case did consult the deputy minister, but simply made a list at hap-hazard, because he wanted to make a show of economy. That is not the proper way, hon. gentlemen, of practising economy any more than that lady shop-lifter's way for being charitable was proper, nor for the mistress of Henry II. to build for herself a reputation of virtue. Let us all draw our virtue from ourselves, and not from our neighbours.

Hon. Sir MACKENZIE BOWELL—There is no objection to adopt the motion and bring down the information asked for by

the hon. gentleman at the earliest possible moment. No one can find fault with the tone or the manner in which this subject has been treated. It is one that has occupied the attention of all Governments, not only in this country but in older lands, where the system of pensioning and superannuating has been carried to a greater extent than here. I frankly admit that there have been abuses in the past of this, as of all other laws. Whether the figures with which the hon. gentleman sustains the charges he had indirectly made are full enough to come to a correct conclusion as to the actual operation and working of the Superannuation Act is a question that is open, not only to comment, but to dispute. It may be true that in 1871 the amount paid for superannuation was very small. He admitted, while he made that statement, that it was the year, or the year after the law came into force, and consequently had not the same application that it had in 1894 and 1895. We must also remember that about 25 years have elapsed since that period, and that number of years has been added to the age of many of those who have been superannuated. And the statement should be verified, that the savings effected in the placing of clerks or different officers upon the superannuation list do not make up to a certain extent the apparent deficiency which appears upon the face of the figures given to the House. As illustrating what I mean, in the city of Montreal, the year before I left the Customs Department, I reduced the annual payments by between \$12,000, and \$15,000 per annum, by placing people upon the superannuation list, not one of which positions I filled; whether any of them have been filled since I am not at the present moment able to say. Now that added a larger amount to the payment out of the superannuation fund, without any credit appearing upon the face of the account for the amounts that were received. The charge made against me—and I am giving this as an illustration of the working of the Act—was, "Then you must have had too many officers in the department." I admit that frankly, and it occurs very often in this way, a man has been in the service for 30 or 40 years; he becomes old, and he is not able to do the work necessary to be done; younger men who are placed in the department at a smaller salary, ranging from \$400 and \$500 to \$600, are actually

doing the work of those who are receiving from \$1,000 to \$2,000 per annum. Now, the younger man acquires sufficient knowledge, and is sufficiently educated to take the place of the man whose work he has been actually doing, and the Superannuation Act was passed for the purpose of enabling the Government to place that officer upon the retired list, and thereby save his salary. You cannot always take a clerk who is receiving a higher salary and dismiss him, or put him on the superannuation list, and put a new man in his place. You have to educate the younger official. Then there is always another difficulty. A man has been in the service a long time and has fulfilled his duties well. There is a hesitancy on the part of any Cabinet Minister, who has any feeling for his fellow man, to put him even upon the superannuation list, much less to dismiss him, but the necessities of the service are so large that they very often require it. Then, again, there are many departments, not only in the inside service, but also in the outside service, where the work actually requires a certain number of employés or officials, which department a few years afterwards may be completely changed that they do not require them at all. I know of many illustrations that I could give as an evidence of the correctness of what I say, particularly in the Customs Department. Before the construction of railways, many ports along the lakes and rivers required the constant vigilance of an officer, to prevent smuggling, and they were the actual ports of entry for that section of the country. The construction of a railway diverted the trade from that point altogether, and thereby rendered the services of the officials at these particular points unnecessary. Now, you had either to move those into other parts of the service, where probably the office was full, or you had to continue them upon the pay list at a large salary when they were actually doing nothing. I have placed officials on the superannuation list myself that were receiving from \$800 to \$2,000 a year and their places have been filled by officers at a few hundred dollars per annum. The credits did not appear upon the face of the account, while the charges appeared against the system as an expense. I am merely giving this explanation as to the working of the Act. Now, in the department to which my hon. friend has referred, I know that there has been a great deal of fault found.

The papers I think will show, when they come down, that the Minister was justified in the course that he took. I have before me a list of six who were superannuated in the Secretary of State's department and not one of those offices has been filled, nor is it the intention of the Government to fill them. I hope the time is not approaching, to which my hon. friend referred, when a certain party is coming into power who, he had no doubt, would fill all those vacancies. It does not follow that there is a vacancy because a man has been dismissed or because he has been superannuated. He may have been superannuated, or he may have been dismissed because his services were no longer required. The point raised by the hon. mover of this motion as to the vested rights of clerks is one that I am not prepared to admit in connection with the management of the Government, no more than I would admit it in the case of a bank clerk or a man working in any branch of business. There is, however, this modicum of truth—I should say absolute truth—that when a man has been in the Civil Service for a number of years, it does unfit him, to a certain extent, for the ordinary vocations of life—just the same as a soldier. That is a point that my hon. friend made. Recognizing that fact, the legislation of 1870 and 1871 established a system by which a certain percentage of the officials' salaries should be placed to the credit of the superannuation fund, so as to enable the government to prevent the retention upon the staff of men who had become, to a very great extent, useless, by paying them a certain sum of money. I do not wish to be understood as arguing at the present moment in favour of that system in any way. Whether it is any credit to me or not—I do not claim it as a credit; I took the other view at the time. I argued in 1870 and 1871 in the House of Commons, when the question was under discussion, that a man entering the Civil Service, should be in the same position precisely as a man entering any other vocation of life, and when his services were not required, that he should be retired the same as a merchant would dismiss an employee in his establishment. However, that was not the system that was adopted, and perhaps in that I was a little too radical in my ideas, but I am not so sure I have changed them altogether yet. I think there might be a different

system adopted. It has its drawbacks and it has its benefits, and its principal benefit is that it enables the Government to relieve the service of what might be called an incubus upon the funds of the country by the retention of officials who are not required, or who, if required, were unable longer to continue their work. The parliamentary legislation at that time provided for that point also, and they provided for it in the very clause which my hon. friend read, which says that a clerk or an employé can be retired from the service though he has not served 35 years and though he may not have reached the age which, under the law, would enable you to put him upon the superannuation list—you can retire him upon the grounds of economy and efficiency of the service.

Hon. Mr. POIRIER—Yes, but the compensation in that case—

Hon. Sir MACKENZIE BOWELL—Yes, I am coming to that. It also went further. If the hon. gentleman will look at the Public Accounts, he will find there are cases, and particularly at that period to which my hon. friend referred, in which men were retired who had served but two three and four years, with the addition of ten years in the way of compensation for the loss of the office which they had sustained. There is one remark made by my hon. friend to which I may very well take a little exception—that is, that a large portion of those who are in the public service were brought there—forced into it without attempting to get there themselves.

Hon. Mr. POIRIER—I did not mean that: I do not believe I said that.

Hon. Sir MACKENZIE BOWELL—I was going to say that that is not my experience.

An hon. MEMBER—The hon. gentleman said forced to superannuation.

Hon. Sir MACKENZIE BOWELL—My hon. friend may be right about that. I do not know of any officer who would want to be on the retired list, unless he intended to go into some other business. There are some, however, who do ask for it when they arrive at a certain period of life. Now, six

in the Secretary of State Department have been retired, and some of them not of the age of 60. We have made it 65 under the new law, and, as the hon. gentleman may remember, we have raised the percentage contributed to the superannuation fund, in order to avoid, as far as possible, the discrepancy which appears to exist between the outlay and the income. Now, these offices have not been filled, nor is it the intention of the Government to fill them. Only one official has been superannuated in the Department of Agriculture, so far. The position of the official superannuated has been filled by one of the first class clerks in the department. No new appointment has been made; the first class clerk's position has not been filled, nor is it intended to be filled, simply for the reason that the work would not justify it. Whatever other superannuations may be contemplated in that department will be made for the sole reason which I have pointed out; that is, with a view to a different arrangement of the department, and for the sake of effecting economy which I think the House and country will justify. There are no objections whatever to bring down the papers; and I think when the papers are brought down the reasons which induced the Treasury Board to adopt the suggestion of the Minister and recommend Council to place these gentlemen upon the superannuation list will be quite satisfactory to my hon. friend and to the House, unless it can be shown afterwards that the vacancies have been made for the purpose of putting other people into office. While the present Government controls the destinies of the country and manages the departments, I can assure him that that will be done. Unfortunately, if his prediction should come true, and our opponents should come into power, I cannot say what my hon. friend opposite will do. He might adopt the policy of our predecessors, but I can only hope that he has more regard for the efficiency of the service and the public funds than to pursue a policy of that kind. We can only hope that he will not be in a position to be tempted.

Hon. Mr. ALMON—When an employé is superannuated, does he get any notice beforehand, and how long before, that he is superannuated? I have heard—but perhaps I was misinformed—that people have been superannuated who knew nothing

about it two days before, and even a shorter time than that.

Hon. Sir MACKENZIE BOWELL—Well, the practice is, if you propose to put a man on the superannuation list, to notify him of the fact some months beforehand. I believe the hon. gentleman is quite correct in stating that in some cases very short notice has been given, but I agree with him that proper notice ought to be given to any man in the service that it is the intention of the government to dispense with his services, and for many reasons which I might give.

Hon. Mr. POWER—The leader of the House has given me an invitation to speak on this subject; and I do not think I should have said anything but for that. The House is under an obligation to the hon. member from Acadie for bringing the question up, and particularly for dealing with it in a temperate, clear and convincing way. Speaking for myself, I do not feel that the first minister has met the speech of the hon. gentleman from Acadie. I sympathize with the hon. gentleman who has brought up this matter. I find that last session I moved a somewhat similar motion in connection with substantially the same subject. I did not make as good a speech as the hon. member from Acadie has done, but I did as well as I could at the time, and it just strikes me—it may be only a coincidence—that last session the dismissals and enforced superannuations took place in the office of the Secretary of State, which had very recently been filled by a new minister. This session the complaints come from the Department of Agriculture, which I understand, is now presided over by the same gentleman who last year presided over the Department of the Secretary of State. And the civil servants, I think, have a sort of feeling that this particular minister is a sort of destroying angel, who goes round slaying them by night without any notice. That is one of the most objectionable features in the case; that in some instances the first intimation that a servant, against whom there was no complaint, had of the intention to remove him, was when he got notice that his services had been dispensed with from the date at which he got the notice. In one or two cases I believe his pay had ceased a day or

two before he had received the notice. Now, I do not think that that is the way in which the business of a civilized country should be conducted. Canada is a civilized country and should be governed after the manner of civilized people. I can understand, that if a man is guilty of a serious offence, he should be removed without any notice, but an officer who is doing his duty faithfully and to the best of his ability, and doing it under what my hon. friend called a quasi-contract with the Government, should not be dismissed without at least some reasonable notice. The Hon. First Minister told us that he had been opposed to the present civil service system and the system of superannuation. I understood the hon. gentleman to say that he thought the servants of the public should be in the same position as the employés of private individuals. The hon. gentleman did, towards the end, express a doubt as to whether perhaps he was altogether right in that view or not. I think the longer he considers the subject the more he will be convinced that he was not right in that view, because the public service is different from the service of a private individual or a private company, in this way—a bank or a large manufacturing company, or a large mercantile business is conducted on strictly business principles. The employés are taken into the service on business principles, and are retained in the same way. In the Civil Service, it is not that way. The civil servant gets his appointment largely, as a rule through political influence. I am not charging that as any offence against the present administration—that is a general rule, unless you have a system of competitive examinations as they have in England, and as they begin to have now in the United States. The civil servant comes into the service as a matter of favour. He, or his father, or brother, or some connection or friend of his, has done the party in power good service, and he receives the appointment as a consequence. That is not the way in which a man gets into private service. When a change of Government takes place and men come in of a different shade of politics, naturally if the civil servants who are in the service have no better tenure of office than the employé of an individual, they will put all, or nearly all, of them out, and put in their own political friends. I do not think that the First Minister would dream of in-

roducing such a system as that. I am quite aware that in the department over which the hon. gentleman presided so long, he did not practise that system at all. I may say—although it is not so strictly relevant—I do not think that anybody ever made a charge that the Department of Customs, while presided over by the hon. gentleman, was materially influenced by politics, and further, I think we all know that the hon. gentleman conducted the business of that department with due regard to economy. I do not think one can say the same for all the hon. gentleman's colleagues. I am not going to discuss the matter—there is no use going over again the ground which has been gone over by the hon. gentleman from Acadie at all, but there is just one point with respect to bank clerks. The First Minister said that the civil servants should be treated as bank clerks. A young man who goes into a bank, has a reasonable security that he will be continued in the service of the bank while he is able to discharge his duties efficiently and conducts himself properly, and further, I think in nearly all the banks there is a system of superannuation, so that if the business of the country is to be conducted as the business of the bank is, I, for one should not be dissatisfied at all. With respect to the Department of Agriculture, one or two observations suggest themselves. It is quite true, as the hon. the First Minister has said, that only one permanent officer has been dismissed, but it is one of these open secrets, which are so very numerous, that the intention was to dismiss a very considerable number of officers in that department. One good effect of bringing up this matter is that the discussion in this House will have a tendency, perhaps, to prevent the removal of deserving officers without notice and without cause. I have been informed, in the same way as the hon. gentleman who introduced the matter to the House, that the Deputy Minister had nothing to do with recommending a number of these superannuations; and I can readily understand it, because the Government adopted a policy which I think is objectionable. They brought a gentleman here from Winnipeg who had had no previous experience in departmental work, and put him at the head of the department, and as a matter of fact, the Minister himself, with some assistance other than that of his deputy, must have selected the victims who were to be

decapitated. I do not think that it is an admirable practice, and I hope it will not be repeated. With respect to what took place under the previous administration, I do not think it is necessary to say much. We are dealing now with the present and not with things which happened twenty years ago, and if the administration of twenty years ago did things which were not to be approved of, that is no reason why we should do the same thing to-day. I have no recollection that the hon. gentleman defended the action of the administration twenty years ago.

Hon. Sir MACKENZIE BOWELL.—No.

Hon. Mr. POWER.—Then I do not see why the conduct which he disapproved of then is to be taken as an example by him to-day. If one looks at the total figures, the figures of superannuation in 1878 and 1895 form a striking contrast, and as I showed last year, the total cost of Civil Government had increased 70 per cent since 1878, which does not go to show that the people of that day were so very extravagant. It goes to show that the people of the present day, who said the administration of 1878 were extravagant, have themselves been very extravagant indeed.

Hon. Mr. FERGUSON.—The general ground taken by my hon. friend, the Leader of the House, in discussing the question that the superannuations proposed and made in the department referred to, have been made in the interest of economy, has not been, very successfully controverted by the hon. gentleman who has last addressed the House, nor has it after all been assailed by the hon. gentleman who moved the resolution. The general trend of this discussion only proves the truth of the statement, which I believe Sir John Macdonald made in the first instance, that economy is a very popular thing to talk about, but it is a very unpopular thing to put in practice. The general ground which the Government take on the subject is that these superannuations that have been made were made in the interest of economy. It has not been alleged that any of these positions that have been referred to have been filled up to the present time, or that it is the intention of the Government to fill them. That being so, hon. gentlemen will give the

government the credit of having the interest of the country at heart in making the changes which have been spoken of. And while discussing in a general way the general subject of superannuation, like the leader of the government I have no fault to find with the manner in which the subject has been presented by the hon. gentleman who made the motion nor even with a great deal that has been said by the senior member from Halifax, still we must bear this in mind, that the present government two years ago made some very important changes in the Superannuation Act, changes which will bear fruit more in the future than at the present time. Under the law passed some two years ago, provision was made that those coming into the service after a certain time should pay a larger contribution to the superannuation fund than those who had been previously appointed. It was the desire of the government to make this provision more general than it is, but it was held that it might almost be regarded as interfering with vested rights, and it was thought only proper to make it apply only to those who enter the service after the date which was fixed in the Act. There was another provision in that Act which extended the age of the officer, before a superannuation could be applied for, from 60 to 65 years. With these two facts in mind, that the superannuations which are the subject of this particular discussion have been made in the interests of economy and that the government in their legislation of two years ago, aimed, as far as it was possible, for them to go at that time, at removing the large discrepancy which unfortunately exists between the contribution to the superannuation fund and the amount paid out of that fund annually to parties who have been superannuated—bearing these facts in mind, I think hon. gentlemen will feel that the remarks which have been made, after all, did not so very much apply to the government.

The motion was agreed to.

FEMALE OFFENDERS IN NEW BRUNSWICK BILL.

SECOND READING.

Hon. Mr. WOOD moved the second reading of Bill (C) "An Act respecting female offenders in the Province of New Brunswick."

He said : I do not know that it is necessary for me to take up your time with a speech in moving the second reading of this bill. Those gentlemen in the Senate who were here in 1891 will recognize in this bill an almost verbatim copy of the Act which was introduced by the hon. member from Halifax with respect to female offenders in the Province of Nova Scotia. I believe that bill passed the House without any opposition, and I presume that, as this is precisely similar in its provisions, and applies to the Province of New Brunswick, it will be regarded with equal favour by the House. I might say, for the information of those who were not here at that time, that the bill provides that the

Stipendiary magistrate, police magistrate, or magistrate, in such province before whom any woman or girl being a Roman Catholic above the age of sixteen is convicted of an offence against the laws of Canada, punishable by imprisonment in a city prison or common jail for the term of two months, or for any longer time, may sentence such woman or girl to imprisonment in the Good Shepherds Reformatory, instead of the city prison or common jail.

The Good Shepherds Reformatory is an institution in St. John, under the control of the Roman Catholic Church. The second portion of this clause embodies the provisions passed in 1894 amending the original Act and providing that a judge or magistrate may, in his discretion, substitute an extended term of imprisonment in the reformatory, for the term that is provided for in the Act under which the person may be tried. The second clause provides for the removal of any criminal who is confined in the common jail to the reformatory to serve out the remainder of the unexpired term. The remainder of the first part of the bill simply contains provisions for giving effect to these two clauses. The second part of the bill deals with persons under sixteen years of age. These are to be sentenced to another part of the institution, which is called the Good Shepherds Industrial Refuge, and the term for their imprisonment is limited to not less than two years and not more than five years. There is another provision here that in case a municipality sends criminals of this age, it shall not be obligatory upon the sisters who have charge of it to receive such persons unless provision is made for their support to the amount of \$60 per annum for each girl. This seems to be a very rea-

sonable provision. As you will notice, it is required in the 11th section that this class of offenders shall be instructed in reading, writing and arithmetic and that they shall also be taught some useful trade or occupation. They, of course, have to be clothed and fed while there, and the provision which is made in this way seems to be a very reasonable one. I might add, that from what information I have received with regard to this feature of the bill, it is very seldom the practice that this amount is actually paid. These are benevolent institutions, and their object is to do good and reform the erring people as far as they can. They very seldom exact this fee, and it is very seldom paid. However, it is a very reasonable provision, in case their capabilities should be overtaxed by too many cases of this kind, that they should have power to insist upon the payment of this amount. The bill commends itself to the favourable consideration of the House. One feature of the bill which strongly recommends it is the fact that the institution is under the charge and superintendence of a religious order. I am aware that some persons believe that these reformatories should be state institutions and not under the control of any particular religious body. I feel, myself, that reformatories established and under the control of religious sects of this character do their work more effectually than any other class of reformatories, and this I believe has been the experience of the past. Indeed, I have myself very grave doubts as to whether there are any real reforms effected amongst this class of persons which are not due either to the exertions or, at all events, more or less to the influence of religious orders of this character. Another feature of the bill which recommends it is that there is no public money contributed to the support of this institution. It is purely a benevolent institution and supported by the contributions of the friends of the Roman Catholic church; it is therefore no tax upon the public, and the bill is entirely free from any objection which might otherwise be urged to it that public money was in any way appropriated to teach the dogmas or extend the influence of any religious sect. Another point that I notice has been carefully guarded by the promoters of the bill is that it should only apply to Roman Catholics—there can be no

charge made that there is any attempt at proselytising. The promoters of the bill appear to have no object of that kind in view, for they have themselves inserted a provision which confines the operation of the bill entirely to such persons as profess the Roman Catholic faith. I feel that the bill is a good one and in harmony with the most enlightened sentiment of the present day, as well as with our recent legislation, and I trust that it will receive its second reading without opposition.

Hon. Mr. DEVER—I rise to say a kind word for this bill and for the women, or ladies, who ask for it. I do not know these ladies personally, but I am aware that they came and settled at St. John sometime ago, and have a home there. They were poor in the world's goods, as far as I can learn, and the only means they had of supporting themselves was by honest labour and whatever charitable people chose to give them. But let it be said to the honour of St. John that both Protestants and Catholics were equally kind to these good women, and more than wished them well for the noble work they were engaged in. What was this work, hon. gentlemen? Why it was no less than giving the shelter of a home, as I understand it, out of their scanty means to fallen women, and girls, who were steeped in sin and avoided by people calling themselves Christians. Yes, these self-sacrificing ladies never tired looking after the interests of these neglected street girls and women till they got their confidence, and weaned them from their evil ways and obtained for them honest employment. Hon. gentlemen, I feel it is the duty of every one who has a spark of kindness in his soul to sympathize with the object these self-sacrificing ladies have in view, namely, the saving of poor unfortunates from leading vicious lives, and inducing them to change and come back to virtuous lives once more. The bill has my hearty support. I believe that the institution is doing a large amount of good in the city of St. John. In a large seaport there must always be numbers of destitute persons who need the protection which an institution of this kind can furnish. I do not appeal to you on the ground that this is a religious institution. If I had my own way I should prefer to have such an institution maintained by the community at large, but inasmuch as there

is no indication at present that any such institution will be founded by the whole community, it is but right that we should give our support to an institution of this kind, controlled as it is by a community of good women who are giving their whole time and exertions to reclaiming the fallen.

The motion was agreed to and the bill was read the second time.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, 12th February, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

AGRICULTURAL SOCIETIES IN THE NORTH-WEST.

INQUIRY.

Hon. Mr. PERLEY rose to

Ask the government, how many agricultural societies there are in the North-west territories; the name and number of members of each society, and also, the amount of government money grant to each society?

He said,—The only reason I have for asking this question is that I have received letters from prominent members of the different societies in the North-west claiming that they did not think they had got a fair proportion of the money voted for the societies in the North-west and thought that by asking the question in this way I would get an official answer which would not only satisfy those who asked the question, but others who may be interested. That is the only object I had in view.

Hon. Mr. FERGUSON—In reply to the hon. gentleman's inquiry I may say that there are thirty-nine agricultural societies in the North-west Territories, participating in the government grant, the names and numbers of which, with amount of government

money grant paid to each society in 1895, are as follows:—

Name of Society.	No. of Members.	Amount Granted.
Carrot River District.....	67	\$142 71
Fairmede.....	130	250 00
Central Saskatchewan.....	88	187 44
Wapella.....	151	250 00
Maple Creek.....	73	155 49
Calgary District.....	50	106 50
Fort Saskatchewan.....	88	187 44
Duck Lake.....	76	161 88
Innisfail.....	74	157 62
Little Cut Arm and Qu'Appelle....	63	134 19
Alameda.....	74	157 62
Whitewood.....	81	172 53
Grenfell.....	72	153 36
Battle River.....	53	112 89
Edmonton District.....	58	123 54
Gainsborough.....	67	142 71
Lorne.....	82	174 66
East Moose Mountain.....	137	250 00
Macleod.....	97	206 61
Qu'Appelle.....	117	249 21
Davisburg.....	98	208 74
Moose Mountain.....	95	202 35
Moose Jaw.....	68	144 84
Sheep Creek.....	63	134 19
Indian Head.....	89	189 57
North-east Assiniboia.....	50	106 50
Broadview.....	90	191 70
Red Deer.....	76	161 88
South-east Assiniboia.....	170	250 00
Medicine Hat.....	80	170 40
Assiniboia.....	77	164 01
Sterling.....	57	121 41
Lacombe.....	92	195 96
Wolseley.....	90	191 70
Yorkton.....	105	223 65
Moosomin.....	123	250 00
Pheasant Forks.....	53	112 89
South Edmonton.....	195	250 00
South Qu'Appelle.....	108	230 04

\$6,976 23

THE CONTROLLER OF INLAND REVENUE.

INQUIRY.

Hon. Mr. McINNES (B.C.) rose—

To call attention to the following telegrams which appeared in the "Daily Colonist" newspaper of Victoria, British Columbia, purporting to have been sent by the Hon. Sir Mackenzie Bowell, and ask the first Minister if they are copies of telegrams sent by him to His Honour Lieut.-Governor Dewdney, the Hon. E. G. Prior, and A. Stewart Potts, respectively—namely—

(*Colonist*, Dec. 19th, 1895.)

"OTTEAWA, DEC. 14th, 1895.

"LIEUT.-GOVERNOR DEWDNEY.

"Kindly ascertain from Prior if he will accept a Controllership with a seat in the Cabinet. This would give British Columbia a voice in the Cabinet.

(Signed) "MACKENZIE BOWELL."

"MONTREAL, Dec. 17th, 1895.

"Hon. E. G. PRIOR, Victoria.

"Governor Dewdney wires me there is a misunderstanding as to your status in the government.

You are Controller of Inland Revenue, Privy Councillor, and a member of the Cabinet, and have just as much voice in the affairs of the Dominion as I have. I would have offered you nothing less.

(Signed) "MACKENZIE BOWELL."

(*Colonist*, Dec. 21st, 1895.)

"OTTAWA, Dec. 19th, 1895.

"Thanks for expression of approval by Liberal-Conservative Association of Government's action in giving British Columbia representation in the Cabinet, and at the selection of Col. Prior, who in the past has proved himself indefatigable in looking after the interests of his province. It was always my desire that British Columbia should be so represented, and I took the first opportunity to have it done.

(Signed) "MACKENZIE BOWELL."

(*Colonist*, Dec. 24th, 1895.)

"OTTAWA, Dec. 23rd, 1895.

"A. STEWART POTTS,

"Secretary Liberal-Conservative Association,
"Victoria.

"Yes. Vote and voice in Cabinet and Council equal with mine. See telegram to Prior. Surprised doubt exists after so many affirmative answers given these questions.

(Signed) "MACKENZIE BOWELL."

He said: Before entering upon a discussion of the subject now before the House, I wish it to be distinctly understood that it is not my intention to treat the subject in a partisan spirit, or say anything that will lead to an acrimonious debate, but with a desire to discuss the merits of the question in a broad and dispassionate manner, and I trust the leader of the Government and all others who may take part in the discussion will approach the subject in the same spirit. On the 15th of December last the people of Victoria were first apprised of the fact that Colonel Prior, M.P., was offered and had accepted a subordinate position in the Ministry—that he had been appointed Controller of Inland Revenue and made a Privy Councillor. In the course of a few days, as the glamour of a controllership began to wear away, many of our most intelligent and independent electors on reflection began to look upon the offer and acceptance of a subordinate position—not a seat in the Cabinet, for which they had been asking for many years, but a kind of a superior deputy-ministership—as a sop and insult to the constituency and province. The consequence was that the current of public opinion

began to run stronger than ever against the Government and its candidate. Something had to be done and at once, in order to save the seat. The telegraphic wires were called into requisition and the telegrams sent, which I have placed on the order purporting to have been sent by the Premier to Lieutenant-Governor Dewdney, Colonel Prior and the Secretary of the Conservative Association of Victoria, saying that Colonel Prior was a Cabinet Minister and had just as much voice and power in Dominion affairs as he the First Minister had. To that proposition of the First Minister I took exception, claiming then, as I claim now, that the acceptance of a controllership under the Statute of 1887, cap. 11. "An Act respecting the Departments of Customs and Inland Revenue," was a bar or disqualification of such occupant becoming a Cabinet Minister while holding such subordinate position under the Minister of Trade and Commerce—that making a Controller a Cabinet Minister could not be done without grossly violating not only the spirit but the letter of the Act just referred to. Notwithstanding the emphatic and pragmatic telegrams of the Premier, which appeared in the Victoria government organs, I had no hesitation in expressing dissenting views on this subject privately and on the public platform, for which I was roundly abused by the government organs and stump orators for presuming to question the power and authority of the Premier to do as he pleased in all matters appertaining to his Cabinet. Strange as it may appear to hon. gentlemen, and perhaps to the leader of the government himself, I still question the constitutionality of his action in this particular, and I trust, before I resume my seat, that even the leader of the House will be convinced that my contention is strictly correct. The British constitution is exceedingly elastic; so is the Canadian constitution, but not sufficiently elastic, I contend, to enable or justify the executive, or premier for the time being, to over-ride or disregard Acts of Parliament whenever it suits their purpose to do so. Every one who has given the question the slightest attention will readily admit that all members elected to the Commons enter that House on a perfect equality in the eyes of the law—that hon. gentlemen appointed members of this House stand on a perfect equality, entitled to all the rights and privileges of even the leader of the government himself. If the members

of the Senate and Commons are on a perfect equality in the eyes of the law, I claim that the principle of equality in the Cabinet is even stronger, if possible—all members of the Cabinet of necessity must have the same status or stand on the same plane. But, hon. gentlemen, there is no necessity of arguing this point, for the leader of the government himself affirms it in his telegram to Colonel Prior, in which he says "you are Controller of Inland Revenue, Privy Councillor and a member of the Cabinet, and have just as much voice in the affairs of the Dominion as I have." Now I will refer hon. gentlemen to the Act creating the positions of Controllers of Inland Revenue and Customs and the debate that took place in the Commons when that measure was before that branch of Parliament and see if it harmonizes with the doctrine of equality in the Cabinet as propounded by the Premier in his telegrams to Colonel Prior and others during the recent by-election in Victoria. The first Act to which I desire to call your attention is chapter 10, An Act respecting the Department of Trade and Commerce, the first clause of which enacts as follows :

There shall be a department called "The Department of Trade and Commerce," over which the Minister of Trade and Commerce for the time being, appointed by commission under the Great Seal, shall preside; and the Minister shall have the management and direction of the department and shall hold office during pleasure.

The Minister of Trade and Commerce shall be a member of the Queen's Privy Council for Canada, and his salary shall be seven thousand dollars per annum.

Now, I turn to chapter 11, an Act respecting the Department of Customs and the Department of Inland Revenue, the first clause of which is as follows :

The Department of Customs and the Department of Inland Revenue respectively shall, from and after the coming into force of this Act or so much thereof as relates to either of the said departments, in accordance with the provisions hereinafter contained, be under the control and supervision of the Minister of Trade and Commerce, or of the Minister of Finance, as the Governor in Council from time to time directs, and the office of Minister of Customs and of Minister of Inland Revenue shall cease to exist so soon as this Act is brought into force, as respects the Department of Customs or the Department of Inland Revenue, as the case may be.

The second clause is as follows :

Clause 2. The Governor in Council may appoint an officer who shall be called the Controller of Customs and an officer who shall be called the

Controller of Inland Revenue, each of whom shall hold office during pleasure and shall under the general instructions of the Minister of Trade and Commerce, or of the Minister of Finance as the Governor in Council directs be the parliamentary head of the said departments respectively.

The third clause provides :

The said officers shall each receive a salary at the rate of five thousand dollars per annum.

The fourth clause is as follows :

Wherever by any Act any duty is assigned to, or any power is conferred upon the Minister of Customs or the minister or Inland Revenue, such duty shall be performed or such power shall be exercised by the Controller of Customs or the Controller of Inland Revenue respectively, but any duty or power assigned to the Controller of Customs or the Controller of Inland Revenue shall be performed or exercised subject to the supervision and control of the Minister of Trade and Commerce or of the Minister of Finance, as the Governor in Council directs.

Hon. gentlemen will see from the first Act which I have quoted, that it is distinctly mentioned that the Minister of Trade and Commerce shall be a member of the Queen's Privy Council of Canada, and that he shall hold a portfolio with a salary of \$7,000 a year. The other Act provides that the Controllers shall be subordinate to and under the jurisdiction of the Minister of Trade and Commerce, and that their departments are not suggestive, but are merely administrative. The Controllers are parliamentary heads, and instead of receiving \$7,000 a year, they receive \$5,000. It may be contended by some hon. gentlemen, from the fact that no specific provision is made, that the Controllers shall not be members of the Cabinet, therefore the Premier or the Council have the power to call them into the Cabinet; but, I am perfectly safe in saying that no judge or jury in Canada could place any other construction on the language of the Act than that they are subordinate and inferior to the ministers, and that it was never intended that they should be anything else but parliamentary heads or superior deputy ministers. The only difference that I can see between them and the ordinary deputy ministers is, that they require to have seats in either House of Parliament. They occupy precisely the same position as the under secretaries in England, and it is well-known that under secretaries in England are never members of the cabinet. It is clear, therefore, that that is the spirit and intention of the Acts from which I have quoted, but in order to put it beyond a shadow of a

doubt, I will read, from the Commons Hansard of 1887, the views of Sir John Macdonald and others on the subject. The following is from the debate on the first reading of the Bill, at page 190 :

Mr. MILLS (Bothwell)—Perhaps the honourable gentleman will tell us whether it is the intention of the bill to make one Department of Customs and Inland Revenue.

SIR JOHN A. MACDONALD.—I may say, in the first place, that the bill will provide that it shall not come into force until proclaimed—it will come into effect by proclamation. The two departments of Customs and Inland Revenue are administrative departments merely; they are not suggestive departments, and it is intended that in due time that these two departments shall, as it were, be sub-departments of the Department of Trade and Commerce. It is also provided that the heads of those sub-departments shall be under-secretaries as it were—to go in and out, but not to be members of the cabinet, and to have diminished salaries. That is the principle of the bill.

On page 192, Sir Richard Cartwright says :

If we are going to enlarge the government and constitute a cabinet of 15 members, it may be worth the consideration of the House whether an attempt should not be made to go back to a more wholesome system, difficult as I know it is at this time.

On page 193, Sir John Macdonald says :

I think I would rather listen to the counsels of the hon. member for South Oxford (Sir Richard Cartwright). His suggestion is that the cabinet should be reduced, and there should be subordinate officers, members of the government, but not members of the cabinet. That is exactly what this system is intended to introduce, and eventually will be brought into force, having the effect of reducing the number of Cabinet ministers.

No language could be plainer than that, I submit. Again, when the bill was before the Committee of the Whole House, Sir John Macdonald at page 863, said :

They are not suggestive, but administrative; and, after the policy of the government, with respect either to internal revenue or customs, is settled, the ministers at the heads of these departments will see that the law is carried out. It is of considerable importance that the number of the cabinet Ministers should not be increased, but by this system young members of Parliament—comparatively young members—who have taken prominent positions in Parliament can obtain entrance into public life, and commence official training by holding these offices, and, after certain probation, if they assert themselves before Parliament, they will, very naturally, be promoted, and become cabinet ministers. They will go out with the government, and they will be political personages as much as if they were members of the cabinet.

That language of Sir John Macdonald does not require comment. Then he goes on, at page 870 :

This is an attempt to reduce the number of cabinet ministers, and to bring forward the young talent of this House and enable them to acquire training in the public service. It is of very great importance indeed, that men should not at once step at once into the more important offices of the government, at the same time be members of the cabinet, and potential in governing the political destinies of the country and the great questions connected with the Dominion as a whole.

And again at page 871 :

But the hon. gentleman must remember that the minister although not a cabinet minister is, so far as the public is concerned, a member of the cabinet, and his decisions will be just as binding as if he were a cabinet minister and called the Minister of Customs. The department will be under his supervision and control. The Minister of Trade and Commerce will have the supervision of those two departments, and he will have the controllers of the two departments under his management.

Sir RICHARD CARTWRIGHT—Those gentlemen will be, therefore, practically in the position of inferior officers, subordinate officers, under secretaries, or what you will to the Minister of Trade and Commerce. That is the intention of the government, I presume?

Sir JOHN A. MACDONALD—It is so.

Apart from the unmistakable language made use of by Sir John Macdonald, who had charge of that measure in the other House, in reply to the members to whom I have referred, it appears to me that it would be absurd to say that a subordinate can be equal to the head. It is equivalent to saying that a part is equal to the whole. Let us suppose, by way of illustration, that my hon. friend the senior member from Halifax is Minister of Trade and Commerce and the hon. gentleman's colleague from Halifax is Controller of Customs and the hon. gentleman from Calgary Controller of Inland Revenue, and that those two gentlemen are under the direction and control of the senior member from Halifax.

Hon. Mr. POWER—I wish they were.

Hon. Mr. MCINNES (B.C.)—Perhaps they will be by and by. As an evidence that they are not full-fledged Cabinet Ministers, it is only necessary for me to point out that they are not responsible to the Crown or Parliament, but to their superior, the Minister of Trade and Commerce. According to the telegrams that I have read, and which the

Premier admits are correct, those two gentlemen would be taken into the cabinet and have an equal voice with the head of the department—to use the Premier's own phrase—would have an equal voice with him in all Dominion affairs, including the framing of fiscal and other policies. After the policy was fixed in Council, the controllers would retire to their respective departments and take their orders from the senior member for Halifax. I am disposed to think that those two hon. gentlemen would be inclined to kick, and not only kick, but if my hon. colleague, the senior member for Halifax, were to insist upon their obedience he would be very apt to be told in polite language that he might retire to the Torrid Zone, or that other zone which we are sometimes told is even hotter.

To my mind it is perfectly absurd that subordinates can occupy the same position and use the same influence as the gentlemen under whose control they are. Now, I have given you, hon. gentlemen, what the late Sir John Macdonald's views were and the objects of the bill when he introduced that measure into the Commons in 1887. I desire at this point to refer to the last work issued by Dr. Bourinot, who is, I think, generally acknowledged as the highest authority on our constitution and on parliamentary practice in Canada. On page 79 of his book he describes the different positions held by the ministers and the duties assigned to each. In regard to that of trade and commerce, he said :

The Minister of Trade and Commerce has control of all matters relating to trade, and a general supervision over the customs and excise duties and the officers entrusted with the administration of these departments.

On page 81 he says, under the heading, "Ministers not in the Cabinet."

In 1892 a step was taken in the direction of the English practice of having ministers with seats in Parliament but not in the cabinet. At the present time there is a Controller of Customs in charge of the Department of Customs, and a Controller of Inland Revenue, acting under general instructions from the Minister of Trade and Commerce. These ministers go out of office when the government, of which they form a portion, are defeated at a by-election or in Parliament. The Solicitor-General, who is Assistant Attorney-General of Canada, has also a seat in Parliament and is in the same political position as the two Controllers. These three ministers are by royal authority styled "The Honourable" during their term of office. Privy Councillors, whether in or out of the Cabinet, have also the right to bear this title.

I may say that I am at liberty to use Dr. Bourinot's name, and to state that he has a most pronounced opinion on this subject, that he looks upon it as a great wrong and an outrage upon the constitution.

Hon. Sir MACKENZIE BOWELL.—Is that his language?

Hon. Mr. McINNES.—Well, no, it is not his language but it is the purport of it. I did not say it was his exact language.

Hon. Sir MACKENZIE BOWELL.—You left that impression.

Hon. Mr. McINNES.—I will say, however, that, from what I could gather, his views are just as pronounced as mine on the subject, namely, that these controllers are not entitled to be members of the government by virtue of holding such subordinate positions. I may also state to the House, that this question was before the Commons a short time ago, and the leader of the Opposition—who, I think, can be considered a very good constitutional authority—the Hon. David Mills, the Hon. Mr. Davies, and the Hon. Sir Richard Cartwright, all concurred in the views which I have expressed. Not only that, but the Minister of Justice himself practically admitted the force of the contention of the Opposition members. If my memory serves me right, it is against the rules of the House to read a speech delivered, especially during the same session, in the other branch of the legislature; consequently I will not do so, but I will refer hon. gentlemen to that debate. If they wish to see it, I have it here under my hand. I must confess that I am a little surprised that the hon. gentleman who leads the government at the present time should be the first to violate the statutes that I have just read, inasmuch as he has been a member of the Canadian Government continuously since 1878. For many years before this change took place, he occupied the high and responsible position of Minister of Customs, and while I do not wish to bring a blush to his modest cheeks, yet, in justice to him, I take the liberty of saying what I have often stated in private, that a better departmental officer I have never had the pleasure of coming into contact with in Ottawa. I say that freely and honestly, but from the fact that the hon. gentleman occupied that high position at the time of which I am speaking, I think it is only

fair and reasonable to draw this deduction, namely that it was at his instigation that the e very Acts that I have read were placed on the statute-book. He was more interested in the matter probably than any other member of the government, and although I have no authority for saying so, yet I say that the natural inference to be drawn is that he was the gentleman who made the suggestion to the late lamented Sir John Macdonald, then the Premier of Canada, which resulted in having these two positions, that of Customs and that of Inland Revenue, blended into one, and a new position of Minister of Trade and Commerce created. Now, whether that deduction is correct or not, he certainly must have been aware of the spirit and intention of the Acts, and must have acquiesced in the views expressed by his then leader. I cannot conceive how it could be otherwise, for the very good reason that when these two positions were abolished as suggestive departments and placed under parliamentary heads, and a new position of Minister of Trade and Commerce was created, he was the gentleman who was appointed to that position. Consequently I think that there is no getting away from the fact that the hon. gentleman had probably more to do with placing these two Acts on the statute-books than perhaps the whole of the rest of the government put together; and I am sorry to think that he was the first to violate, as I think I have shown very plainly, not only their spirit but their letter, and that he should have advised His Excellency the Governor General to break faith with Parliament, because I am fully persuaded that unless it had been distinctly understood by Parliament that the controllers would not be members of the Cabinet that Act would never have gone through in the form in which it became law. I think I am perfectly justified in that remark, and I must confess that to my mind there is only one solution of the extraordinary course pursued by the Prime Minister, when the by-election in Victoria was in progress, and that is the internal dissensions in the Cabinet, surrounded as he was by a gang of conspirators—a veritable nest of hornets, that stung him at every vulnerable point—he absorbed such an amount of virulent poison that his memory forsook him for the time being, so that he did not remember that he was the person who had been principally in-

strumental in placing that Act on the statute-books, and that he was not conscious of the fact that he was advising His Excellency the Governor General to violate the Act and the understanding which had been arrived at with Parliament. I say that I refuse to believe that the hon. gentleman was wittingly guilty of such action. His general reputation and the high and exalted position which he holds, I believe, would preclude him from such a step. That is the most charitable construction I can place upon his action. Referring to the telegrams themselves for a moment, the first telegram, I find, was sent from Ottawa by the Prime Minister to His Honour Lieutenant-Governor Dewdney. I must confess that that struck many of us in Victoria as rather peculiar, that the telegram should have been sent to the Lieutenant-Governor, instead of direct to Colonel Prior. Had Colonel Prior been a stranger, we could have understood it, but why a second party was necessary to have this question decided, I must confess, appeared rather odd to the most of us. The second telegram was sent from Montreal on the 17th of September. In it the Premier says:

MONTREAL, Dec. 17th, 1895.

Honourable E. G. PRIOR, Victoria.

Governor Dewdney wires me there is a misunderstanding as to your status in the government. You are Controller of Inland Revenue, Privy Councillor, and a member of the Cabinet, and have just as much voice in the affairs of the Dominion as I have. I would have offered you nothing less.

(Signed) MACKENZIE BOWELL.

Two days later, in reply, apparently, to more pointed, urgent and definite messages, the Premier telegraphed:—

OTTAWA, Dec. 19th, 1895.

Thanks for expression of approval by Liberal-Conservative Association of Government's action in giving British Columbia representation in the Cabinet, and at the selection of Col. Prior who in the past has proved himself indefatigable in looking after the interests of his province. It was always my desire that British Columbia should be so represented, and I took the first opportunity to have it done.

(Signed) MACKENZIE BOWELL."

What I want to direct your attention to particularly, hon. gentlemen, is the last part of the telegram: "It was always my desire that British Columbia should

be so represented and I took the first opportunity to have it done." Some hon. gentlemen say "hear, hear;" I do not know whether the Premier's hear, hear or not.

Hon. Sir MACKENZIE BOWELL—I will say it now.

Hon. Mr. McINNES.—But I wish to call the attention of the hon. gentlemen to a debate which took place here, on the 13th day of last July, when I had the honour of making an appeal to the Premier and to the government that the vacancy which then existed should be filled by a British Columbian. It will be remembered that early in July last there was a kick, that three members of the government retired, but that after an absence from the council board two of them returned. One hon. gentleman who had the courage of his convictions remained out. No matter how much we may differ with his views on the subject which was the occasion of his resignation, we cannot help but admire him for his consistency and determination in sticking to what he believed was right. I then made a plea that that vacant portfolio should be given to Colonel Prior or to some other gentleman representing British Columbia. I was then given to understand by the first Minister and others that that was a Quebec portfolio, but I observed that it remained vacant until within the last three or four weeks, and I cannot understand how the hon. the Premier could say in his telegram of the 19th December last to the Conservative Association of Victoria, that "it had always been his desire that British Columbia should have representation in the cabinet and that he had taken the first opportunity of giving that representation." How could the hon. gentleman consistently send that telegram when the office I have referred to, that of the Minister of Agriculture, had remained vacant for over six months? If it was the desire of the government of which he is the head, that British Columbia should have a full-fledged member in the Cabinet, why, I ask, was it that that Cabinet position was not given to one of our representatives? There is nothing in the British North America Act that would warrant the government in claiming that that portfolio belongs exclusively to the province of Quebec any more than to any other province. It has

been the custom, I believe, for the province of Quebec to have four representatives in the Cabinet,—and I wish it to be distinctly understood that I am not finding any fault with that policy,—yet I claim that there is nothing, other than political expediency, to compel or bind the government to preserve any particular portfolio for the province of Quebec. Take the province of Ontario, which has a population of probably three-quarters of a million greater, and which, I think, pays into the Dominion treasury a very much larger sum than does the province of Quebec; that province has only three portfolios. It is true that the hon. gentleman from Toronto, who is a valuable and most important member of the government, is serving without a portfolio; but if the great province of Ontario, with a very much larger population, can afford at least for a time to do with three portfolios, I see no reason in the world why the province of Quebec ought not to be satisfied for a short time at least with three ministers. In fact, the portfolio which was rendered vacant last July was not filled until recently, and she was a loser to that extent for six months. Now, as I have said before, I cannot see why the hon. gentleman who leads this government, if he was so desirous that British Columbia should have a representative in the cabinet, did not at once give that position when it became vacant last summer to a British Columbia representative. I may also say in this connection that I have been accused, more particularly since I came here, of ingratitude and inconsistency after having advocated the representation of my province in the cabinet for the last 11 years, for offering opposition now that we are getting it. I can only say that last summer if that portfolio of Agriculture had been offered to one of our representatives, I would have been the last man in British Columbia to encourage opposition to a British Columbia Cabinet minister at that particular time. I would have been willing to let Col. Prior be elected by acclamation, feeling that we would at least have the benefit of having a full fledged Cabinet Minister for a few months, but when this subordinate position was offered to a British Columbian within a few weeks or months of the termination of the natural life of this Parliament, and I believe also of the life of the present government, I can only say that the encour-

agement is very small indeed. It is my conviction that British Columbia would not even have had a controller in the ministry were it not for the fact that the feeling out there is running so strong, not against our members of Parliament as individuals or as citizens, but against the policy of the government which they are supporting. Some hon. gentlemen may laugh, but I can assure them that I believe as firmly as I stand here that if it had not been that the controllership was given to Col. Prior, and if a great number of the people had not been led to believe that we were getting a representative in the cabinet, Col. Prior would not have been elected as one of the members from Victoria. I think the result of the election indicates that unmistakably, and this is one of the reasons why I say I ought not to be charged with inconsistency or ingratitude because I opposed his election. As I said before, Col. Prior is a personal friend of mine. Mr. Wood, the Controller of Customs, also has been a personal friend of mine for a great many years, and he is a gentleman whom I hold in the highest estimation, but I say it is improper that political exigencies should be allowed to make these gentlemen not only Privy Councillors but full members of the cabinet in violation of the Act of Parliament. The last telegram is as follows:

OTTAWA, Dec. 23rd, 1895.

A. STEWART POTTS,
Secretary Liberal-Conservative Association,
Victoria.

Yes. Vote and voice in Cabinet and Council equal with mine. See telegram to Prior. Surprised doubt exists after so many affirmative answers given these questions.

(Signed) MACKENZIE BOWELL.

I think there was every reason why those who were familiar with the provisions of the statute and with the discussion which took place when these measures were before Parliament in 1887, should doubt the accuracy of the statement. I must confess, for one, that I for a time believed that these telegrams were not genuine—that they had been tampered with in some way to suit the purposes of certain individuals; but we had the assurance the other day from the Premier himself that they are correct, thus of course settles the point. There is another matter to which I wish to direct attention. On the 17th December the Premier telegraphed to Col. Prior which his status in the

Cabinet was; but on the 27th of the same month, while the fight was still going on with greater vigour than ever, Sir Charles Hibbert Tupper, the ex-Minister of Justice, telegraphed to Col. Prior "His Excellency informed me last night that he had just signed the minute of Council approving of your appointment as a member of the Cabinet and of the Privy Council." Notwithstanding the positive statement by the Premier on the 17th December, the Governor-General had not until 10 days later, according to the ex-Minister of Justice, signed the appointment. I claim that the Act should be amended in order to give the controllers their true position. If they are on the same plane and have an equal voice with other members of the Cabinet, immediate steps should be taken to relieve them from the humiliating position which they now occupy of being subordinate to the control and under the supervision of another minister. If we are to have fifteen ministers, let the law be amended so as to make the position clear, and to make it absolutely certain that all who enter the Cabinet are on a perfect equality, and enjoy all the rights and privileges to which their high position should entitle them.

Hon. Sir MACKENZIE BOWELL—I answered the question when the hon. gentleman gave notice of his inquiry—I told him that the telegrams as published were literally correct as far as I could remember. I have very little to say in addition to that today. The hon. gentleman calls the attention of the House to telegrams which he alleges appeared in the *Daily Colonist* newspaper purporting to have been sent by myself to Lieutenant-Governor Dewdney. I should like to ask the hon. gentleman before proceeding further, why he added the words "Lieutenant-Governor" to the telegram as it appeared in the *Colonist*? It is rather a delicate thing to use the name of a Governor General or Lieutenant-Governor in connection with any political matter. I have before me the *Colonist* of December 19th, in which the telegram was published and the words "Lieutenant-Governor" do not appear in the telegram or in the address. Is the House to conclude that the hon. gentleman deliberately placed upon the Order paper what purports to be a telegram as it appeared in a certain newspaper when it is not the telegram as it appeared in that newspaper?

Hon. Mr. McINNES (B.C.)—My hon. colleague to my left (Mr. Macdonald) saw the telegram and it was read at the Conservative Association meeting in the city of Victoria. I may have made a mistake in mentioning the *Colonist*, but if the hon. gentleman will take the *Times* and the *British Pacific* newspaper of Victoria he will find that the telegram was put in both those papers as it appears in my notice. I hope the hon. gentleman is not disputing the fact that that telegram was sent to Lieutenant-Governor Dewdney.

Hon. Sir MACKENZIE BOWELL—I dispute the right of the hon. gentleman to quote a telegram, as correct when it never appeared in the *Colonist* as quoted.

Hon. Mr. McINNES—Is it correct?

Hon. Sir MACKENZIE BOWELL—That is not the question. What I complain of is that the hon. gentleman quotes from a newspaper something which is not there.

Hon. Mr. McINNES—I will substitute the *Times* for the *Colonist*.

Hon. Sir MACKENZIE BOWELL—I am sure the Senate must have been pleased to hear the dispassionate manner in which the hon. gentleman delivered himself, more particularly his declaration that he was not actuated by anything like a party spirit in discussing a question of this kind. His closing remarks to-day, and more particularly the speeches which he made in Victoria during the recent contest there, are the best answer to the hon. gentleman's statement. It is somewhat singular that the hon. gentleman who has been most earnestly contending for a representative of British Columbia in the cabinet, should, upon the very first opportunity that the government have had to give that province representation in the cabinet, try to defeat their object. I admit that the policy of Sir John Macdonald, when that Act was introduced—I do not know that any member of the cabinet discussed the question with my late chief oftener than I did—was to place the controllers in the same position as under secretaries, or parliamentary heads, occupy in England, to defend the departments over which they preside so far as the departmental work is concerned.

But is there anything in the language of the Act which the hon. gentleman has quoted, and which he has so often said during his remarks has been violated, to establish, even by implication, that a controller could not be made a member of the cabinet if the policy of another government, under a different head, was to make him such? Is there anything in the language of the Act which deprives the crown of any of its prerogatives or any of the authority which it held before the passage of that measure? So far as the formation of the government is concerned, the prerogative of the crown is unlimited. If my hon. friend from Prince Edward Island (Mr. Ferguson) and my hon. friend from Toronto (Sir Frank Smith) can occupy seats in the cabinet with all the power and authority which is vested in a cabinet minister, though they receive no salaries and are not heads of departments, is there anything in the statutes or in the constitution to show that a gentleman who happens to be controller and who draws a smaller salary than a minister of the crown, cannot occupy the same position? Until the hon. gentleman can show that the prerogative of the crown is limited in the selection of advisers, he fails to make out his case. The subordinate character of the Controller of Inland Revenue is limited to the administration of the affairs of his department. When he was sworn in as a member of the Privy Council there was no limitation whatever to his power as a cabinet minister. If the hon. gentleman had argued that, upon the face of it, there was an apparent incongruity in the position held by the Controller of Inland Revenue, there might have been some force in his remarks. I am willing to admit that, but there is this distinction to be drawn—while he is administering the affairs of the department he does so under the advice, and control, if you like, of the Minister of Trade and Commerce, but the moment he takes his seat in the Cabinet he is as free to express his opinion and to assist in framing the policy of the government—whether it shall be a protective tariff, free trade, or unrestricted reciprocity—as the Minister of Trade and Commerce himself. I freely admit that there is a second Daniel come to judgment in the exposition of Parliamentary Government in the person of the hon. gentleman from New Westminster; yet, he does not draw the distinction between the formation of a policy

which should govern the country, and deciding whether a man should be fined for smuggling, or whether an item bears a certain rate of duty. More than that, turning again to the question of subordinate position, has the hon. gentleman taken the trouble to look at the formation of the British Cabinet? Does he not know that, so far as the salaries of Cabinet Ministers are concerned, they range from £20,000 sterling a year to £2,000 sterling a year? Does he not know that Lord Salisbury, the Premier of Great Britain, receives a salary of £5,000 a year, while the Lord Chancellor receives £10,000 a year, and the Viceroy of Ireland £20,000 a year; and does he imagine that because of this difference in salary they occupy different positions in the cabinet, or that the member of the cabinet who receives the highest salary has the most influence in the formation of the policy of the government? Mr. Morley, when a member of the Gladstone Government, received a salary of £2,500. No one will say, who knows anything of that gentleman, that he was an inferior member of the cabinet, or a man of inferior intellect, or that he occupied any less prominent position in the political world, and particularly in the United Kingdom, than any of his colleagues, except perhaps the Premier of that day himself, Mr. Gladstone. The Vice President of Council on Education, who was also a member of the cabinet, receives only £2,000 a year. The Duke of Norfolk, who certainly is not an inferior man in the political world, or of the Empire, to-day, is not a member of the cabinet, yet he is the Postmaster-General, and receives a salary of £2,500. The Postmaster-General in the Gladstone administration was a member of the cabinet. There is no limit whatever to the power of a Prime Minister, with the authority of the Crown, to bring to his cabinet whomsoever he pleases. Mr. Gladstone had in his Cabinet but seventeen members: Lord Salisbury to-day has nineteen members in his cabinet. Some of the officers, prominent men in England, holding portfolios, were not members of the late Cabinet, but those holding precisely the same positions to-day are members of the cabinet, and vice versa. The very instances I have given you,—that of the Postmaster-General illustrates this. In the Gladstone Government Mr. Morley, when he was Postmaster-General,

was a member of the cabinet. The Duke of Norfolk to-day, who occupies the same position, is not a member of the cabinet. It illustrates what the hon. gentleman said—and it was a true statement—that the constitution of England, on which our constitution is framed, is so elastic that you can adapt it to any and all circumstances. There is no question about that, unless there is a law to the contrary. The hon. gentleman shakes his wise head. I readily admit the hon. gentleman's superior knowledge, particularly on constitutional law, but all he has to do is to refer not only to precedent but also to the formation of cabinets in England, and he will find that in these matters there is no limit whatever to the prerogative of the Crown. There is no inferiority, as he attempts to establish, because Mr. Prior receives \$5,000 a year, while other members of the cabinet receive \$7,000. My hon. friend from Toronto (Sir Frank Smith) and my hon. friend from Prince Edward Island (Mr. Ferguson) receive no salary at all. So far as their position before the country is concerned it is perhaps more honourable than that of a man who receives a salary and sits at the Council board, for the reason that they are willing to give their time, their talents and their ability in order to assist in the governing of the country without receiving any remuneration whatever; but at the same time they are not burdened with the duties of a portfolio. While I admit that the intention and the policy of Sir John Macdonald, when he placed that law on the statute book was not to make the controllers members of the cabinet, it does not follow because a Prime Minister and his government had a particular policy at one time, that therefore it becomes like the laws of the Medes and Persians, unalterable. If so, when my hon. friend crosses the floor of the House, I hope he will carry out the same principle and take the ground that this government having placed on the statute book a certain tariff he is not to change it. I scarcely think that he would take that position. The hon. gentleman seems to think that because the title of honourable is only retainable by a Controller of Customs or a Controller of Inland Revenue while he holds office, therefore that affects his position in the government. The hon. gentleman himself if he ceases to be a senator, will cease to hold the title of honourable which he now holds. I

do not think that that fact interferes in the slightest degree with his independence and his right to assert his opinion in this House. From the fact that Mr. Prior has been sworn in a Privy Councillor, and the fact that he is a member of the cabinet, confers upon him the title of honourable for life. How the hon. gentleman can say that Mr. Prior has not the same right and authority in the cabinet as any other member of the Privy Council, because he is a controller, is a marvel to me and is altogether beyond my comprehension. First of all the man who takes the oath of a Privy Councillor, and then is given a seat in the cabinet, no matter what position he may occupy, whether it be at the head of a department or whether he has no office at all, has just the same power and authority and the same right to express an opinion as the man who is Prime Minister. If my hon. friend sat at the Council board, as I have done, with the hon. gentleman from Toronto (Sir Frank Smith) I think he would find that hon. gentleman has opinions to express and that he enforces them whenever he thinks it necessary in the interests of the country to do so, and so it would be precisely with Mr. Prior. The hon. gentleman referred to Mr. Bourinot and used some very strong language which left impressions on my mind that he was quoting the language of Mr. Bourinot himself. Now I know Mr. Bourinot tolerably well, and I was rather amazed and put the question as to whether he was quoting the language of Mr. Bourinot. The hon. gentleman seems just now to have a very exalted opinion of the constitutional and parliamentary knowledge of that gentleman. He had not so exalted an opinion of that gentleman when he was addressing the electors in Victoria. He then represented Mr. Bourinot as being the mere creature of the government. That is not the actual language he used but that is the purport of it. He used language something like this—I suppose he will not question the correctness of the report in the *Times*, his own newspaper and to which he called my attention: it reports him to have said:

In that terrible editorial referred to was a telegram purporting to be a reply to a telegram sent to Dr. Bourinot asking him if Colonel Prior was a Cabinet Minister. That reply merely stated that he never gave an opinion on the subject.

I leave the House to judge which statement of the hon. gentleman is correct, that

which he has made to-day when he told the Senate that Dr. Bourinot had given a distinct and positive opinion using language something like this, that it was an outrage on the constitution, or when he told the people of British Columbia, on the 26th day of December, that the reply sent by Dr. Bourinot was to the effect that he never gave an opinion on the question.

Hon. Mr. McINNES (B. C.)—That telegram was never sent to me.

Hon. Sir MACKENZIE BOWELL—I did not say it was. The hon. gentleman did not deny it though, and he had no right to deny it. The hon. gentleman was criticising an editorial and a telegram which appeared in the *Colonist*, which was supporting Colonel Prior, that that was the language of Dr. Bourinot. It can be easily verified as to whether it is true or not. But the hon. gentleman continued:

Reading between the lines, it was as plain as daylight that if Dr. Bourinot could have given an affirmative answer and had he done so, it would have been flashed from one end of the country to the other.

Hon. Mr. McINNES (B.C.)—Hear, hear.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman had not so high an opinion of Dr. Bourinot then. He continued:

All these telegrams, he firmly believed, had been doctored some way or wilfully framed and sent out here for a vile and brutal purpose.

I do not know what brutality there is in a telegram, stating that a man never gave an opinion upon a certain subject. I leave that to the hon. gentleman to explain. Perhaps it grated upon his ears, and his fine sensitiveness was so shocked that he could not find other language to express himself than to call those telegrams brutal and vile. Then the hon. gentleman went on to say:

We would ask again could any one in that audience suppose that if Dr. Bourinot could have telegraphed a reply saying, 'yes, you can occupy a controllership and have a seat in the cabinet,' that it would not have been made the most of by the *Colonist*.

The Senator himself telegraphed to Dr. Bourinot—at least so he says. He says he telegraphed on Sunday.

Hon. Sir FRANK SMITH—On Sunday!

Hon. Sir MACKENZIE BOWELL—
Yes, he was then acting on the principle
that the end justified the means.

The Senator last Sunday had sent the following question by wire to Dr. Bourinot—'Can controllers occupy the dual position of controllers and Cabinet Ministers. Please answer?' Up to the present no answer had been received.

Then somebody cried out "And never will," and the hon. gentleman continued:

Perhaps so, but the natural inference was that if an affirmative answer could have been given it would have been flashed across the wires in a short time. Dr. Bourinot must be so under the control of the government that he dare not reply to a telegram although in the past the senator had always found him one of the most obliging and accommodating officials in Ottawa.

Has Dr. Bourinot emerged from that state of vassalage in which he existed last December, so that he could have stated that we had violated the constitution in a "vile and brutal manner?" Any one who knows Dr. Bourinot knows that it is a base slander on his reputation. A more independent man does not exist in Canada. I do not believe there is a man who occupies the same position that he does, or any other position, who is more thoroughly independent of those who appointed him and of those with whom he is surrounded, than Dr. Bourinot. If he had an opinion on this question he would not hesitate a moment to express it, and I appeal to those who have known him for a number of years if what I state is not strictly correct. Whether his opinion favoured the government of to-day or whether it favoured the opposition, it has been all the same to Dr. Bourinot. It is true he gave certain opinions when asked by a gentleman occupying a high position in this country, in reference to certain questions which occurred concerning the Manitoba School question. He was perfectly right in that, but he received the condemnation of the opposition for doing so, because it did not happen to be in accord with their views, just as he is condemned here because he very properly refused to answer a telegram sent to him during a political campaign. Where the inspiration came from to-day I do not know, but in the hon. gentleman's estimation Dr. Bourinot is to-day one of the best officers in the country, and the hon. gentleman has every possible confidence in him. I am glad it requires only two months to elapse since

the denunciation of his character which appears in this paper, to enable the hon. gentleman to form a correct opinion of the character of Dr. Bourinot. In this same speech of his, December 19th, they have capitalized the following—printers will understand what I mean by the word "capitalized":—

The senator also created some amusement by pointing out the vague wording of the despatch to *Colonist* yesterday morning, quoting Sir Mackenzie Bowell as stating that Mr. Wood and Col. Prior will be cabinet ministers.

Was the hon. gentleman as disingenuous then as he is to-day? There is nothing in the telegram to which he referred—which would warrant such a statement. Had that language been used it would have been quite proper, because Col. Prior could not be a Cabinet Minister until he was sworn in, but there was nothing in the telegram to indicate anything of the kind. What I stated was plain and distinct—the telegram speaks for itself. The whole Grit atmosphere—I will not use that word—the atmosphere of those who are opposing the government in Victoria was shocked because the telegram was sent—supposing that it be correct, to Lieutenant-Governor Dewdney. With whom else would the Premier of the country communicate in order to obtain an answer upon a matter of this importance? The Lieutenant-Governor is the appointee of the Dominion Cabinet, and all communications on public matters between the Secretary of State or the Premier must be through him, and especially on a matter of this kind where it refers to the formation of the government. He is not asked to interfere, not asked to do a single thing in the way of interfering with the election—he is simply asked to inquire of Col. Prior if he would accept a certain position with a seat in the Cabinet. What did Col. Prior answer to that? The answer, which the hon. gentleman very dexterously omitted to read, is that upon those terms he would accept the office. Is it any wonder, then, that an offer being made of a controllership with a seat in the cabinet, I should have expressed surprise that men were so biased and led away by a desire to defeat a member of the cabinet, that I should marvel how any doubt could be entertained as to the intentions of the government on that question? The hon. gentleman may hold a different opinion of public men from what I do: he may think

that an offer may be made by one public man to another, or by the Premier of the country to a representative to join his cabinet, and that he really does not mean what he says, that it was merely done to influence, as the hon. gentleman intimated, the election which was going on. There was no election going on when I made that offer? How, then, could the telegram be intended to influence the election? Was it at all marvellous that Col. Prior's friends should become uneasy when they heard the statements made by the hon. Senator and others, that the Colonel had no right to a seat in the cabinet, and that it was never intended that he should occupy such a position? Was there any impropriety, under the circumstances, in Lieutenant-Governor Dewdney's telegraphing to me as the head of the government, to ascertain what the actual position of affairs was? I leave it to the common sense of this House and of the country at large to reply. It was not until doubts had been thrown upon the honest intention of the government that these telegrams were despatched. Even in the face of the messages themselves, some persons had so little faith in the truthfulness of the men at the head of affairs that they would not believe that Col. Prior was a member of the government in the same way that all other ministers are. Even to-day, when Col. Prior is sitting at the council board giving advice upon every question brought before it—whether it be one of trade policy or of a fast line, or cable, by which the different outlying portions of the empire may be connected with this country and with England—the hon. gentleman throws doubt on the position which Col. Prior holds. But that gentleman has the imprimatur of the Governor General's sanction upon his official acts; and I may say that the advice which Col. Prior's experience enables him to give in relation to militia matters, which are occupying so much attention at the present time, is of inestimable value to the country. The hon. gentleman claims nevertheless that Col. Prior's elevation to his present position is contrary to the law, but in that law from which he read there is not to be found one single sentence which gives any colour to his statements. I advise the hon. gentleman when he undertakes in future to deal with questions affecting the interests of his province, not to allow his partisanship to carry him away so as to deprive him of the com-

mon sense and judgment which he displays on ordinary occasions. It is true that Col. Prior's majority was largely reduced, but that was for two reasons, first the persistence with which the hon. gentleman and some others circulated the rumour that Col. Prior was not and could not be a cabinet minister, and, second, the hon. gentleman's action in introducing the question of the Manitoba schools. The hon. gentleman in his speech the other day referred repeatedly to the action of the government as being coercive and as indicating a determination to interfere with the province. I will quote his own words:

But there is another question to be considered, and it is also brought before us through the same cause, that is the decision to coerce Manitoba. He would ask all liberty loving subjects if they would return a man whose views were in accord with the decision to coerce our sister province, the young and prosperous province of Manitoba. He knew what the answer would be, but if we returned a man like Col. Prior who was in accord with that policy, we would be saying to the present Government that we approve of the coercion of Manitoba.

He used much stronger language than that which I have quoted, and he knows as well as I do how easy it is to excite passion and prejudice, but in his intense patriotism he did not hesitate to resort to that method of argument in order to reduce Col. Prior's majority. I find no fault whatever with the hon. gentleman's objections. No matter what policy a government may adopt, it is not only the right and the privilege, but it is the duty of every public man to object to what he considers to be wrong; but I think he is exceeding the bounds of parliamentary usage when he questions the prerogative of the Crown to select any person whomsoever as an adviser. It is quite consistent for the hon. gentleman to object, for it is his practice always to object, no matter what the government may do. He condemns them for not having a representative in the Cabinet from British Columbia, and the moment one is selected he renews his protestations. I think the difficulty is that the hon. gentleman probably considers himself the proper person for the position; however, there is a difference of opinion on that point between the hon. gentleman and those who control the destinies of the country for the time being. I can say for Col. Prior that a more assiduous worker in the interests of his province I have never met. He devotes his whole time and attention to his official

duties and is proving himself to be much beyond my expectations as an administrator of a department. I can assure my hon. friend that as a British Columbian he may be proud of the representative of his province in the cabinet.

Hon. Mr. SCOTT.—As I cannot acquiesce in all the arguments of the Hon. Premier, I may be permitted to say a word or two in justification of the view which I take of this subject, which I consider an extremely important one. I am quite willing to concede that it is in the prerogative of the Crown to select any one as an adviser, but I hold that it is inconsistent and incongruous to appoint as a member of the cabinet a subordinate officer who is under the control and superintendence of another minister. That is practically the position of affairs to-day. It is unnecessary to quote any further evidence because I think it is conceded by the First Minister that at the time the legislation creating the controllerships was passed it was distinctly understood by Parliament that the controllers were to occupy subordinate positions. The statute itself is extremely clear on that point. The Act creating the Departments of Customs and Inland Revenue sets out that it is expedient that the customs and inland revenue shall be placed under the control and supervision of the Minister of Trade and Commerce or the Minister of Finance. The second section abolishes the offices of Minister of Customs and Minister of Inland Revenue. Now I submit the common sense question whether the Government by their action have not superseded this Parliament—whether they have not in reality created anew the offices of Ministers of Customs and Inland Revenue. If Messrs. Prior and Wood are equal to any other minister, they must occupy offices equivalent to those of Minister of Customs and Minister of Inland Revenue respectively—offices which Parliament by the Act which I have cited, abolished years ago. Section four is also very distinct and positive in its terms. The controllers are to perform certain duties and are to be subject to the supervision and control of the Minister of Trade and Commerce. The First Minister is not now in his place, but he said in his argument that they were still subject to his supervision in the discharge of their departmental duties. That leaves room for a very absurd and incongruous state of affairs. Let

us take an illustration : Suppose Col. Prior in the discharge of his departmental duties makes a report which must be laid before the Minister of Trade and Commerce. If the latter does not approve of it he has the right, under the authority of this statute, to cancel it. Col. Prior, however, is a member of the cabinet and stands, we are told, on a par with any other minister, so that he can bring his report up in council and if council and the premier approve, it is passed in spite of and in opposition to the wishes of the minister to whom he is directly subordinate. That is the conclusion to which we are irresistibly led by the statements of the Premier himself. The case is perfectly plain, I think, and requires no further enlargement. While Colonel Prior is within the four walls of his own office he is a subordinate; the moment he leaves that office he becomes the equal of any other minister. That is the effect of the policy which has been adopted, and I must say that I do not think that it is a wise or a prudent one. I would further point out that it furnishes a precedent which enables any government to create a new department, which is in violation of the Independence of Parliament Act. Under that Act authority is given for the creation of offices such as the president of the Privy Council, the Minister of Finance, the Minister of Militia, and so on. Every minister who has control of a department holds his position under this Act, and Parliament reserves to itself the right to create new offices. It would be quite in order to pass an Act of Parliament creating any additional office; but this has not been done in regard to either the present Controllers of Inland Revenue or of Customs. By a mere stroke of the pen the First Minister has practically made these gentlemen heads of departments, for I think it cannot possibly be argued by any sensible person that Colonel Prior occupies the dual position of being at one hour under the control and supervision of the Minister of Trade and Commerce, making reports to him which may be either ignored or cancelled, and at another hour a Minister of the Crown having a voice and vote in the council chamber. If this House thinks that the position taken by the First Minister is a tenable one, all I can say is, that they are regarding the interpretation placed by him upon the Independence of Parliament Act in a very tender and confiding spirit. The spirit of

the Independence of Parliament Act is that it is the privilege of Parliament to create the offices which entitle the holders thereof to become members of the Privy Council ; but the government has practically over-ridden that. I cannot admit, when the Controllers of Inland Revenue and Customs are declared to be on a par with other members of the cabinet that they can be any longer subordinate officers. I cannot conceive how a man can be at one time a subordinate of a cabinet, officer and at another time his equal ; and I do not think that the Premier will find any precedent in the British cabinet for such a state of affairs. The Duke of Norfolk, who is the Postmaster General, is not a member of the Cabinet and there are various other offices of the same class. The question of salary is not one which can be taken into consideration, for it really has nothing to do with the matter. That has nothing to do with the question. What I feel is that precedents of this kind would justify any government hereafter in practically creating an office in violation of the Act of Parliament, and I think it will be very much better if an Act of Parliament should confirm them in their position rather than that any doubt should exist on the subject.

Hon. Mr. DEBOURCHERVILLE—Was not it decided some time ago that the Solicitor General was a member of the cabinet ?

Hon. Sir MACKENZIE BOWELL—Yes ; he was in the cabinet also.

Hon. Mr. SCOTT—I do not remember ; I do not think there was any statute defining that in the discharge of his duties he was to be in any way subordinate to the Attorney General, though naturally one would suppose he would be.

Hon. Sir MACKENZIE BOWELL—In the same way, every Cabinet Minister is subordinate to the head, because the head has the power to say he must go or remain ; but I cannot see how the appointing of a controller to the cabinet could be in any way an infringement of the Independence of Parliament Act. It is a grave question whether, the office of controller having been created by statute, it is necessary even in the appointment of a member of

parliament to occupy that position that he should go back to the people. It is a question the Minister of Justice had grave doubts about, and when he had so appointed a controller the question was fully discussed ; and Mr. Wood—whom we know to be a lawyer of no mean standing—was of the opinion that there was no necessity to go back to the people, and that it would not be an infringement of the Independence of Parliament Act. But Sir John Macdonald, although of that opinion, thought that for fear doubt should exist he should go back to the people, and that after going back to the people who had approved of the appointment to the office, there certainly could be no infringement of the Independence of Parliament Act by calling him to the Council.

Hon. Mr. SCOTT—There is a clause which perhaps escaped my hon. friend's attention, which bears directly on the point. Sec. 7, of the Act respecting the Department of Customs and Inland Revenue, reads :—

Whenever any person who holds the office of Controller of Customs or Controller of Inland Revenue and is at the same time a member of the House of Commons, resigns his office, and within one month after his resignation accepts any of the offices mentioned in subsection 3, of section 9, of the Act respecting the Senate and House of Commons, and becomes a Minister of the Crown, and a member of the Queen's Privy Council of Canada, or, having so resigned, accepts any office created by this Act," &c.

Subsection 3, of section 9, relates to the creation of the office of Minister of Militia, and so on. And under this clause he could have accepted one of these offices without going back to the people within one month ; but he has not accepted one of those offices, he has continued in his own office, which in my judgment is a subordinate one, and has become a Cabinet Minister.

Hon. Sir MACKENZIE BOWELL—The fact of becoming a Cabinet Minister does not imply that he should go to the people. It is only when he is appointed to an office where he accepts an emolument.

Hon. Mr. SCOTT—I think there was an error in drawing up the statute, because I find a different position prevails with reference to the Solicitor General.

Hon. Sir MACKENZIE BOWELL—And yet he went back to the people.

Hon. Mr. McINNES (B.C.)—I desire to say a word or two in reply to the remarks of the First Minister.

Hon. Sir MACKENZIE BOWELL—I should like to know if this debate is to be continued. I rise to a point of order, not to object to the hon. gentleman's reply so much as to have it understood in the future. The rule is that the mover of a substantive resolution has a right to reply, but has a senator the right to reply if he merely puts a question or calls the attention of the Senate to any subject? Because if he has we could go on indefinitely in the discussion of any question. If the hon. gentleman has a right to reply to me, I should fancy I have a right to reply to him.

Hon. Mr. McINNES (B.C.)—If there is nothing before the House, I move that the House do now adjourn and that affords me an opportunity which the premier cannot deny. If he is afraid of anything I have to say in reply to him, I certainly think I have an opportunity, and every member in this House has an opportunity of speaking on the general policy of the government by moving the adjournment of the House.

Hon. Sir MACKENZIE BOWELL—I rise to another point of order. The hon. gentleman has no right to make any motion until the point of order that I have raised is decided. If the Speaker decides that he has a right to speak, then there is no necessity for it. But if the Speaker decides that he has not, then he can move the adjournment, but not before.

Hon. Mr. POWER—As to the question of order, I do not pretend to say that, strictly speaking, it is not well taken; but I wish to speak of the practice of the House; it has not been the practice of the House.

Hon. Sir MACKENZIE BOWELL—No, we have been running riot for a long time.

Hon. Mr. McINNES (B.C.)—Since the hon. gentleman became Prime Minister.

Hon. Mr. POWER—My memory of the mode of proceeding in the House goes back as far as the year 1877. In that session and

in subsequent years there were long discussions on inquiries couched in the same general way as the inquiry made by the hon. gentleman; and I think I will be borne out by the older members of the Senate when I say that in nearly every case the member of the Senate who introduced the matter was allowed to close. It has not been the practice to enforce these rules rigidly. The practice is uniform in that respect, and I do not think we are so very busy now that we should enforce rules which it has not been the practice of the House to enforce in the past.

Hon. Sir MACKENZIE BOWELL—That is not the question.

The SPEAKER—Rule 21 reads:

No Senator may speak twice to a question before the Senate; except in explanation or reply, where he has made a substantive motion.

Hon. Mr. POWER—Then I move that the House do now adjourn.

Hon. Mr. McINNES (B.C.)—I have already moved that the House adjourn.

Hon. Mr. AIKINS—I rise to a point of order. The hon. gentleman has spoken, I do not think he can move the adjournment of the House to enable him to speak again, but any other member of the House can do it.

Hon. Mr. McINNES (B.C.)—As a point of order has been raised, I will refer hon. gentlemen, in justification of my motion to adjourn, to the Senate debates of last year, page 355. The hon. gentleman from Richmond, an ex-speaker of this House, and a gentleman who is looked upon as one of the best parliamentarians in the Senate, had been speaking for some time when a point of order was raised and he himself moved the adjournment of the debate and proceeded with his speech.

Hon. Sir MACKENZIE BOWELL—While he was speaking?

Hon. Mr. McINNES (B.C.)—My hon. friend on my right, the senior member for Halifax, questioned his right to move the adjournment of the House, and stated that some other hon. gentleman ought to do it. The hon. member for Richmond replied:

Then I move that the House do now adjourn. I make this motion for the purpose of reading the statement.

Hon. Mr. POWER—Can the hon. gentleman move the adjournment of the House and then speak?

Hon. Mr. MILLER—Of course I can; it is a very strange thing that the hon. gentleman does not know it.

Hon. Mr. POWER—It is the first time I have seen it done. The usual way is to get some friend to move the adjournment.

Now there is a precedent established, as I said before, by a gentleman who is generally recognized as the best parliamentary authority, or one of the best, in this House. I must confess that I am very much surprised that the leader of the government, after the pleasant discussion we have had here this afternoon, should deny me the privilege of saying a few words in reply. I would only occupy two or three minutes. However, I must say this, that if that rule and other rules are to be rigidly enforced, I shall govern myself accordingly.

Hon. Sir MACKENZIE BOWELL—That is right.

Hon. Mr. McINNES (B.C.)—I do not use it as a threat, but as a member of this House I shall invoke every parliamentary rule which will enable me to speak as often as I please. It is unfortunate that the leader of the House should object to a few words in explanation, and only explanation.

Hon. Sir MACKENZIE BOWELL—That is not the point of order.

Hon. Mr. McINNES (B.C.)—I am in order. All I want to say is this—

Several Hon. MEMBERS—Order, order, order!

Hon. Mr. McINNES (B.C.)—That my opinion of Dr. Bourinot is the same now as it was then and since—

Several Hon. MEMBERS—Order, order, order!

Hon. Mr. McINNES (B.C.)—You may cry "order" as much as you please, but I am speaking and I am quite in order in reviewing the whole course of the government if I choose. I am now speaking on the motion to adjourn the House. I can discuss any question, if I see fit to do so, no matter what the majority against me is—

Hon. MEMBERS—Order, order!

Hon. Mr. McINNES (B.C.)—I am in order.

Hon. Sir MACKENZIE BOWELL—You are not in order.

Hon. Mr. McINNES (B.C.)—I am in order.

Hon. Sir MACKENZIE BOWELL—The question is as to whether the hon. gentleman had the right to move the adjournment. As soon as that point is decided, we will have great pleasure in listening to the hon. gentleman, but he does not know when he is in order.

Hon. Mr. McINNES (B.C.)—The hon. gentleman has no right to bring up a matter of this kind.

Hon. Sir MACKENZIE BOWELL—Yes, I have, the Speaker has decided the point.

The SPEAKER—I believe I have decided the question: I have read the rule which applies to this very case. No hon. member has a right to speak twice, not even to move the adjournment of the House.

Hon. Mr. McINNES (B.C.)—That is not the question before the House.

Hon. Sir MACKENZIE BOWELL—Yes, it is.

Hon. Mr. MASSON—There is no parallel between this case and the case cited by the hon. member from British Columbia. The Hon. Mr. Miller had the floor in the case referred to, and was speaking and could consequently move the adjournment, but the hon. gentleman cannot move the adjournment, for the plain reason that he cannot rise a second time to speak. Of course, if he cannot rise to speak, he cannot move the adjournment. That is the rule in all assemblies, that you cannot rise in your place to speak after you have once spoken; consequently you must not move the adjournment, but you may ask your neighbour to do it. The hon. gentleman from Richmond had the floor himself; he did not take the floor a second time when he said: "I move the adjournment." He did not speak twice: the hon. gentleman from Victoria has spoken once on the question, and according to the rules he cannot rise again in his seat to speak, and consequently, cannot say, "I move the adjournment of the House."

Hon. Mr. DEVER—Further than that, I think the hon. Mr. Miller's remarks were simply those of a private member, he was not speaking from the chair, and therefore his remarks would have no more weight than the remarks of any hon. member. I wish to point out also that the custom of the House, under rule 21, has been just as the Speaker decided. A gentleman might rise after making a speech and make an explanation—merely an explanation—but he must not make a new speech. That has been the practice of the House.

Hon. Sir MACKENZIE BOWELL—The House will remember the very kind suggestion which the leader of the opposition once made when I had an affection in my throat. He suggested that I should move the adjournment of the House. I did so while speaking, though I had not completed my speech. It was the same in Mr. Miller's speech.

The SPEAKER—I can cite the rule here from the Parliamentary Practice:

Upon the same ground a member who has already spoken may rise and speak again upon a point of order or privilege, but a member who has already spoken to a question may not rise again to move an amendment or the adjournment of the House, or any similar motion, though he may speak to these questions when proposed by another member.

Hon. Mr. POWER—In order to relieve this strain, I move the adjournment of the House.

Hon. Sir FRANK SMITH.—Since the adjournment is moved for you, you may now speak.

Hon. Mr. McINNES (B.C.)—I want one rule to apply to every member of this House. I think it was last year that the hon. Premier, owing to an affection of the throat, moved the adjournment of the House. The hon. member from Richmond, on another occasion, did the same thing after speaking for some time. Now I want to know if those are precedents. Can it be taken from this out as an established fact that a gentleman, after speaking for some time, can move the adjournment, or after the subject which has been discussed has been disposed of, and nothing is before the House, can the member who brought up that

subject move the adjournment of the House? However, no matter what the decision is, I merely wanted to say, when the hon. Premier raised this point, that my views now are precisely the same as they were several months ago with regard to Dr. Bourinot. As I stated, and as the hon. Premier has read from the Victoria papers, Dr. Bourinot is a gentleman for whom I have the highest regard.

Hon. Sir MACKENZIE BOWELL—You did not seem to think so then.

Hon. Mr. McINNES (B.C.)—I thought so then, I think so still. I did think it a little strange that he did not answer the telegram I sent him. I did think it was rather strange that he did not acknowledge the receipt of it, if he was not at liberty to offer an opinion on the constitutionality of the question that I propounded. The views which I expressed this afternoon, although not in the same language made use of by Dr. Bourinot, are the views that he holds to-day or did hold a few days ago, that it was not in accordance with the statute, and not in accordance with the constitution to bring those two subordinate officers into the cabinet. That is all I want to say on that subject. With reference to Lieutenant-Governor Dewdney, I made use of his names several times, but I do not think any hon. member here can accuse me of referring to him in anything like a disrespectful manner, or attributing to him any impure or improper motives. I merely stated the fact that it occurred to a great number of us as rather strange that the Prime Minister, who had been associated with Colonel Prior for a great number of years in the other House, and intimately acquainted with him since the Premier became a member of this House, should have asked through a second party, the Lieutenant Governor, whether he would accept a position in the cabinet or not. That is the only thing I said. It was rather a puzzler to us. I did not throw any reflection upon the leader of the government for doing it, nor upon Lieutenant-Governor Dewdney for replying and making the inquiries he did on behalf of Colonel Prior. Now, as far as the majority is concerned, and the position I take on the school question, the honourable leader of the House is strictly correct in what he has read from the newspapers. I did make use of that language, and I intend to make use of it. It was

owing to the fact that a vacancy occurred that the Premier was enabled to offer a controllership to Colonel Prior, after the hon. gentleman could no longer, with any degree of consistency or respect, withhold that office. That was one of the reasons why the people, the independent electors of Victoria, looked upon it as a sop and an insult. I assure the hon. gentleman that they felt it keenly, and feel it keenly, and that the vast majority of the people of that province, and the whole of the Northwest, will never submit quietly to anything that can be construed into the coercion of a sister province. That is the universal feeling, and it will crop out and make itself felt on every proper occasion. I do not wish the hon. gentleman who leads the government in this House to be under any other impression. That is a fixed and settled principle in the west. The people out there as a rule—and the hon. gentleman himself must know it—act and think for themselves, and anything in the shape of coercion will not be tolerated by them. I am now done.

Hon. Mr. McMILLAN.—I was going to ask where those gentlemen were from—those independent people.

Hon. Sir MACKENZIE BOWELL—Nova Scotia.

Hon. Mr. McINNES (B. C.)—Yes; quite a number of them from Nova Scotia, and from all the maritime provinces, from the province of Quebec, and from the empire province of Ontario. They have emigrated from those provinces. It is only those that have independence, and can reason and think and act for themselves as a general thing, who find their way to that distant province, and I can assure the hon. gentleman that they are not a people to be dictated to or harshly dealt with. They are amenable to reason; they are among the most intelligent, if I do say it myself, people of this Dominion.

Hon. Sir FRANK SMITH—Nobody is disputing that.

Hon. Mr. McINNES (B.C.)—No more law-abiding citizens can be found in this country, yet at the same time they are the last people in the world that can with impunity be forced into doing anything against their will.

Hon. Mr. MACDONALD (B.C.)—I wish to say a word or two before the debate closes. The hon. Premier has stated the case so clearly and strongly that further remarks are unnecessary, but the last few words of the hon. gentleman from Victoria oblige me to make a short statement. The government did not expect that the calling of Col. Prior to the cabinet would be received with pleasure by the Liberal party in Victoria. We never dreamt of anything of the kind. It is a great satisfaction to the majority of the people in British Columbia that Col. Prior has been called to the cabinet, and that the government have recognized the right of British Columbia to representation in the cabinet. Not only was the news well received in Victoria, but deputations came from the mainland to congratulate Col. Prior and the Conservative party on his being called to the Cabinet. The Premier last year did not make any promise at all. In fact, he gave us no hope whatever, and now that he has done this against the opinion expressed then, it adds much more weight to it, and gives much more satisfaction. I think we have not to look at anything in this matter beyond the law as it stands. Intentions are of no use whatever. After you have intentions crystallized into an Act of parliament, what becomes of the intentions? They are no longer of any use. We look to nothing more or less than the Act of parliament pure and simple, and there is no hon. gentleman in this House who has taken the opposition side of this question to myself and the Premier that will contend for one moment that the Act of parliament establishes any disability on a member being called to the cabinet. It merely points out what the controllers are. It does not say that they shall not be members of the cabinet. That is quite clear. Whatever the intentions were in that case, they entirely fall to the ground. We just look at the Act pure and simple. We stand upon strong grounds. Col. Prior is a member of the cabinet and has been sworn in, and the people are satisfied.

Hon. Mr. POWER—With the permission of the House I ask leave to withdraw my motion to adjourn.

Hon. Sir MACKENZIE BOWELL—I wish to compliment my hon. friend who has

moved the adjournment of the House on the knowledge which he has of the rules and orders which govern this deliberative body. They seem to be on a par with his knowledge of constitutional law.

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, February 13th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

LOAN COMPANIES BILL.

THIRD READING.

Hon. Mr. MILLER, from the Committee on Banking and Commerce, reported Bill (B) "An Act respecting Loan Companies incorporated by special Act of the Dominion of Canada," with amendments. He said:—The amendments have been made at the request of outside parties—parties not interested in the promotion of the bill—and have been acquiesced in by the promoter. The effect of them is to render the operation of the Act more uniform and to include other loan companies which would be otherwise outside of its operation. The committee accepted the amendments and have reported the bill unanimously to the House. In consequence of the long adjournment about to take place, I see no objection, as chairman of the committee, to the adoption of the amendments now, and even the third reading of the bill.

Hon. Mr. AIKINS moved that the amendments be adopted.

The motion was agreed to and the bill was then read the third time and passed under a suspension of the rules.

BILL INTRODUCED.

Bill (D) "An Act for the relief of James Pearson"—(Hon. Mr. Clemow).

AN ADJOURNMENT.

MOTION.

Hon. Sir MACKENZIE BOWELL moved that when the House adjourn to-day it stand

adjourned until Tuesday the 25th inst., at eight p.m.

Hon. Mr. McINNES (B.C.)—Will that not interfere more or less with the consideration of the report of the Committee on Contingencies which is fixed for that day?

Hon. Sir MACKENZIE BOWELL—The Senate will meet at eight o'clock in the evening and we can take up the ordinary business and proceed with it. If the House think it advisable to postpone any of the business until the next day, that course can be followed.

Hon. Mr. POWER—The House understood, when the chairman of the Committee on Contingencies made his report, that it was to be considered on the second day of the meeting and not taken up in the evening. There ought to be an understanding that it will stand over until the following day.

Hon. Mr. ALMON—I should be very sorry indeed if the consideration of the report should be hurried through the House at an evening session. There is a great deal to be discussed about the report itself, and also the indelicate way in which some of the results were reached. (Cries of order). I may have been misinformed on the subject; if so, I shall be ready to apologize for what I have said, but if what I have heard be true, they should not discuss the report until the day after the meeting.

Hon. Sir MACKENZIE BOWELL—I do not think there can be any objection to leave it until Wednesday; in fact, if the Senate will consent, consideration of the report can be fixed for Wednesday.

Hon. Mr. McKAY—The chairman is quite willing to have it fixed for Wednesday, but the report is not in the hands of the House.

Hon. Sir MACKENZIE BOWELL—With the understanding that the report of the Committee on Contingencies will not be taken up until the 26th, I ask that my motion be adopted.

The motion was agreed to.

FEMALE OFFENDERS IN NEW BRUNSWICK BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (C) "An Act respecting female offenders in the Province of New Brunswick."

(In the Committee).

On the preamble,

Hon. Mr. ADAMS said: I think it would be well for us to look carefully at this legislation. As a matter of fact, I have been absent from the House for some time and this is the first opportunity that I have had to examine the bill. It is a matter for serious consideration whether we should take from the judiciary of this country the power to impose legal sentence upon any person and transfer it to another authority not authorized by the Crown. I have given the bill only a temporary glance, and I think it is a measure that is not required. There has been no demand for it from the province of New Brunswick as far as I know, and it should not pass. Why should a police magistrate be empowered either to increase or to lessen the sentence of a prisoner who has been found guilty? It is a new theory and practice of law which is submitted for our approval. Why should we take away from the judge the functions of his office? Sitting on the bench hearing the testimony, he watches the witnesses as they appear before him, and the jury having heard the evidence pronounce upon the guilt of the accused person; why should we pass a bill declaring that the person so convicted under these circumstances shall be sent to a particular institution? I say it is wrong in law, and a wrong against the Crown. I came into this chamber a few minutes ago without the slightest knowledge that this legislation was to be considered. I say it is a measure which is not calculated to be favourable to the commonwealth, or to carry into effect the principles of what we call the Criminal Code of Canada. No class of offenders should be relieved from the penalty of crime because of their creed. No person convicted of crime should be punished by virtue of any other authority than that of the state. Once a person is declared a criminal, he must be punished by virtue of the criminal law. Once depart from that

principle and you remove every guarantee for the punishment of crime. This bill is a libel upon the people to whom I belong—my co-religionists. I defy the hon. gentleman who has charge of this bill to show me on the records of New Brunswick five crimes against the people who are thus libelled by this bill and whom we are asked to protect. For twenty-six years I have been practicing law, and yet there are not on record five criminals that this bill is destined to protect. The Roman Catholics of New Brunswick want no such protection as this. If any of them commit an offence, let them be punished as other people are; we want no special favours. Let them come within the criminal jurisdiction of this country, which is the law of the land, and stay there, and be punished and submit to punishment. I am not acquainted yet with the procedure of this great chamber, but I should like to know if it is not possible to remove this bill in some way to a select committee. I do not want, as a Roman Catholic, to admit the principle of this bill, because if it is good for us it is good for all classes and creeds and it should be made general. I am not going to stand here in the Senate of Canada, the great chamber of the world, the theatre of thought, and to say that my first vote will be given for the purpose of sectionalism—that I shall ask for my people a special privilege as against others. If the bill is good for us, then by any principle that can move a man and touch his soul and move his heart, it should be made universal; otherwise it is not good. Therefore, without further remark, I ask if there is no way by which this bill can be referred to a special committee where we can get together, and if it be found good, we can make it universal in its application. As a Canadian, I refuse to give my imprimatur to legislation by which a criminal can be moved to a special institution by virtue of a police magistrate's judgment. I am not going to vote for a measure by which a police magistrate of the city of St. John can by his judgment increase or reduce the limit of imprisonment.

Hon. Mr. MACDONALD (B.C.)—The hon. gentleman from New Brunswick is not familiar with the rules of the House, and he wishes to know whether this Bill can be removed from a committee of the whole to a select committee. I suppose that it can be done by moving that the committee rise and

report, and then another motion can be made referring the report to a select committee. I agree with a great deal of what the hon. gentleman has said—that no private society should be allowed to ask for legislation of this kind. The punishment provided for in this bill really does not amount to imprisonment at all. If the provincial government were to ask for legislation of this kind, it would be right and fair, and it should be applied to all religious denominations, but it is not proper that any private society should be allowed to ask for legislation of this character. A bill, similar to this, from Nova Scotia, was before us some years ago, and I took exception to it at that time. The bill should provide for the inspection of these institutions. I would not trust any society with the control of the unfortunate class to which it applies, unless there was careful and scrupulous inspection periodically.

Hon. Mr. WOOD—I would have no objection to referring the bill to a select committee, if I thought that any good could result therefrom. The bill, as I remarked at the second reading, is copied almost verbatim from the measure passed in this House in 1891 relating to Nova Scotia. I understood that the principle of the bill was adopted at the second reading, and I cannot see what benefit is to be derived from referring it now to a select committee. The point which the hon. gentleman seemed to raise was that this bill gave the magistrate power to extend the period of imprisonment beyond the time fixed by the court; that can be discussed when we come to that clause of the bill and I suppose can be discussed as profitably in committee of the whole as in a select committee. With reference to the objection raised by the hon. member from Victoria, he will find that there is a clause in this bill which provides for the inspection of this institution.

Hon. Mr. BOULTON—I do not think that the last speaker has stated the principal objection of the hon. gentleman from Northumberland in saying that it is with regard to the power of the magistrate. The objection which I understood him to raise was that exceptional privileges should be granted to a particular sect, or a particular private institution, on behalf of criminals disposed of by the magistrates of the country. That

is the position which he assumed. It is a position in which I cordially agree. If a law is good for one it is good for all. It is a reasonable question that the hon. gentleman has raised how far a duty that devolves upon the state should be consigned to a private institution under special legislation such as is now before us. A Protestant, like myself, hesitates about taking such a position lest he should offend the susceptibilities of his fellow countrymen of another religion. But the objection, coming as it does from the hon. gentleman, is well taken. All those lines of distinction should disappear as far as possible between Catholics and Protestants, and we should avoid bringing denominational or religious matters into the discussion of any of these questions. The sooner we educate our people and our statesmen to take that position, the sooner will we have a happier, a better governed, and a more prosperous country. Those are the views that I hold. I am pleased to be able to congratulate the hon. member from Northumberland on having made his appearance on the floor of the Senate. He is a young man, and I hope he will become an ornament to this chamber and of great assistance in the future legislation of this country. It is here where deliberate thought is exercised, where we can deliberate on those questions without the fear of having to go to the country and be punished perhaps for having aroused the prejudices of any particular class in the constituency to which we have to appeal; and, therefore, a greater responsibility rests upon us to deal with those questions in a thoughtful manner. The hon. gentleman who has charge of this bill should allow it to go before a special committee, if only as a matter of courtesy to the hon. gentleman who requests it and who has been absent fighting the battles of his party in New Brunswick. I think the hon. gentleman from Westmorland might very properly give his consent to delay this legislation till after the adjournment.

Hon. Mr. McDONALD (P.E.I.)—I do not agree with the view taken by the hon. member for Northumberland, of the provisions of this bill. In looking over the measure when first submitted to us, I thought it was legislation in a good and proper direction. I know I should be very desirous to see such a law enforced in my own province,

so that any court could sentence a prisoner to a reformatory institution, instead of the common jail, to herd with the lowest criminals of the land, when, perhaps, the offence was of a trivial character.

Hon. Mr. BOULTON—Make it general, then.

Hon. Mr. McDONALD (P.E.I.)—If the bill results in sending criminals of that character to a reformatory instead of a jail, which is the object of the measure, I think it must be a good measure. As to the provisions of the bill, they are very judicious and in the proper direction. The question has been raised as to the inspection of institutions of this kind. That is provided for in the bill, as one of the clauses of the bill provides for inspection by the government and by the authorities of the city of St. John, if they send prisoners to the institution. The magistrate or the justice of the peace who sentences the prisoners can send them to the reformatory, and it is not taking power away from them. It is merely giving them authority to send the prisoners under sentence to a reformatory institution instead of sending them to the common jail. Similar legislation has already been enacted in some of the other provinces, and I feel that it is a step in the right direction to extend it further. I repeat I should like to see the same legislation applied to the province which I represent as well as to others.

Hon. Mr. DEVER—I have no particular interest in the bill, but I had the honour of seconding the motion for its second reading. I am not a legal gentleman, and, therefore, I cannot explain the features of the bill, but it strikes me that the hon. gentleman who opposes the bill and complains that he has not had an opportunity to see it, because he only came into the chamber a few minutes ago, should remember that it is not our fault. If he thought proper to look after his own interests or after local elections, and neglect his duty here, he has no right to offer opposition to the bill on that ground. If there are any legal objections to the measure, I fancy the lawyers here, as it goes through committee, will remove them, and in that way we will get the bill through, with the assistance of the hon. gentleman

himself. He must know, further, that the province of New Brunswick requires such a measure as this. I do not see how any one representing that province, can oppose this bill, knowing the number of unfortunate children, as you may call them, and women who are liable to misfortune there. They should have some asylum where they can be taken from the streets and protected, and that is the only object in view in presenting this bill. It is not a denominational measure at all, nor has it originated in any sectarian feeling. It is introduced because there is a need for something of the kind. The institution to which the bill refers is the only one in St. John where there is accommodation for taking charge of female offenders to reform them. I believe that the promoter of this bill is actuated solely by a desire to benefit the whole community. At the second reading of the bill I expressed my regret that the institution was not one which would receive offenders of all creeds, but we cannot have such an institution yet. The day may come when we can, but until then we should give encouragement and assistance to the deserving institution to which this bill relates. A bill precisely similar to this, applying to Nova Scotia, met the approval of this House and I think this one also should pass.

Hon. Mr. POIRIER—I rise to a point of order. Rule 76 reads as follows :

No arguments are admitted against the principle of a bill on a Committee of the Whole.

The principle of the bill may be debated at the second reading, or possibly at the third reading, but our rules forbid such a discussion in Committee of the Whole.

The CHAIRMAN—It appears to me that the point of order is well taken and we should have no argument on the principle of the bill.

Hon. Mr. McCALLUM—I do not object to the bill at all, but as a matter of courtesy to the hon. gentleman, from Northumberland who has only recently come into this House, we should postpone the further consideration of the bill until after the adjournment. I hope the promoter of the bill will acquiesce in the proposition.

Hon. Mr. WOOD—I would have no objection at all if we could take up the bill in a day or two, but the Senate will not meet again until next Tuesday week.

Hon. Mr. MILLER—You will have plenty of time.

Hon. Mr. WOOD—If there is a general desire for time to discuss the bill, I have no objection at all, and I therefore move that the committee rise and report progress and ask leave to sit again.

Hon. Mr. POWER—I am glad to see that the hon. mover of the bill proposes to allow the committee to rise, although strictly speaking he would be within his right if he insisted upon the bill proceeding. For the information of the hon. member from Northumberland, I may say that the details of this bill have been very carefully considered. A bill somewhat similar to this was introduced into this chamber when the late Sir John Abbott was premier, and it will be remembered that it was opposed in certain particulars by the hon. gentlemen from Victoria who has to-day spoken against this bill, and that the leader of the House at that day devoted a great deal of attention to the measure. The bill was referred to the Department of Justice and was carefully considered there, and the measure which is now law was very carefully considered, regard having been had to all the circumstances of the case and to the objections which had been made. I do not think that a special committee even of this House would be likely to improve on the details of the bill, but if the hon. gentleman from Northumberland is anxious to have an opportunity to take the sense of the House on the principle of the bill, it would be better perhaps to give him a chance to move his motion in amendment to the motion to go into Committee of the Whole again.

Hon. Mr. MACINNES (Burlington), from the Committee reported that they had made some progress with the bill and asked leave to sit again.

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, February 25, 1896.

THE SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (30) "An Act respecting the Guelph Junction Railway Company."—(Mr. MacInnes, Burlington.)

Bill (40) "An Act respecting the South Ontario Pacific Railway Company."—(Mr. MacInnes, Burlington.)

Bill (42) "An Act respecting the Canada and Michigan Bridge and Tunnel Company."—(Mr. MacInnes, Burlington.)

Bill (41) "An Act respecting the Lake Erie and Detroit River Railway Company."—(Mr. MacInnes, Burlington.)

Bill (29) "An Act to amend the Act incorporating the Supreme Court of the Independent Order of Foresters."—(Mr. Clemow.)

Bill (39) "An Act respecting the St. Lawrence and Adirondack Railway Company."—(Mr. Read, Quinté.)

Bill (37) "An Act to confirm a certain lease and agreement between the Grand Trunk Railway Company of Canada and the St. Lawrence and Adirondack Railway Company."—(Mr. Read, Quinté.)

Bill (26) "An Act respecting the Nelson and Fort Shepherd Railway Company."—(Mr. Read, Cariboo.)

Bill (47) "An Act respecting the Brandon and South Western Railway Company."—(Mr. Perley.)

Bill (27) "An Act respecting the Lindsay, Bobcaygeon and Pontypool Railway Company."—(Mr. Dobson.)

Bill (25) "An Act to amend the Act respecting the St. Lawrence and Ottawa Railway Company."—(Mr. MacInnes, Burlington.)

Bill (10) "An Act to amend the Act respecting the Adulteration of Food, Drugs and Agricultural Fertilizers."—(Mr. Ferguson.)

Bill (34) "An Act to consolidate and amend certain Acts relating to the Nipissing and James' Bay Railway Company."—(Mr. MacInnes, Burlington.)

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, 26th February, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (E) "An Act to incorporate the Yukon and British Columbia Trading and Development Company of Canada, Limited. (Mr. Kirchhoffer).

Bill (F) "An Act respecting the Canadian Historical Exhibition.—(Mr. MacInnes, Burlington.)

THE NORTH-WEST TERRITORIAL GOVERNMENT.

INQUIRIES.

Hon. Mr. PERLEY inquired :

What amount the Lieutenant-Governor of the North-west Territories recommended should be voted for the North-west Territories Government for the next fiscal year, or if the Honourable Mr. Haultain of the North-west Territories Government made a recommendation of a sum, and if so, what amount?

Also, if the Honourable Lieutenant-Governor of the North-west Territories has handed in a list of the persons, and the amounts due such persons, on the Territorial Exhibition account, and has he caused such accounts to be paid?

Also, has the Lieutenant-Governor of the North-west Territories been granted a further leave of absence, and if so, for how long and for what purpose?

He said: I have very little to say until I hear the reply of the government. My remarks will be largely governed by their answer.

Hon. Sir MACKENZIE BOWELL—I am sorry that I am unable, in conformity with the usages of government affecting matters of this kind, to give the information called for by the first question. I may add that it is not usual to divulge the amounts which are asked for by any territorial government. The estimates and the supplementary estimates, which will be brought down in a short time will give all the information to the people that we think is necessary in connection with the appropriations for carrying on the government of the North-

west. I am afraid that if the information asked for by the hon. gentleman were given, it would lead, not to confusion perhaps, but to a good deal of controversy throughout the North-west Territories. I may add, however, that the amounts asked for are never very small, and the government, in coming to a decision, recommend to Parliament as much as they think is necessary in the interest of the good government of the country. To the next question I may say that a list of persons connected with the Territorial Exhibition accounts has not yet been handed in to the Lieutenant-Governor. He has been asked for a full statement of the receipts and expenditures from all sources, and the purposes for which the expenditures were made, and he informed me the other day that he had written to the North-west in order to obtain a full statement, which he was not able to give himself while here. With reference to the last question, a month's additional leave of absence has been given to the Lieutenant-Governor on account of ill-health, on the statement of his physician that it was necessary that he should have a further leave of absence for the reason that I have indicated.

Hon. Mr. PERLEY—I stated prior to putting the questions that my remarks would depend entirely upon the answers. I am debarred from saying a good deal that I would otherwise have stated by the reply of the Premier, but when the supplementary estimates come down I shall then be in a position to deal with the question again. I may say, however, that inasmuch as the hon. Premier told us at an early stage of the session that the Lieutenant-Governor was brought down here to be consulted on the question of the finances of the territory, I want to find if according to the estimates which have been handed down since that time, His Honour was consulted. I presume of course that he was, because the Prime Minister says he was brought down to be consulted on the finances and other matters pertaining to the North-west Territories. They have either not taken his advice, or else his advice was very bad, but I have only to say this: that I notice by the estimates that have been voted for the last few years that there has been very little increase in the appropriations for that country. They have been practically the same, notwithstanding the North-west Territories have

increased materially in population, which would necessitate a larger expenditure of money, I find that very little more has been provided in the estimates which have already been brought down than we have had for the past two years for the administration of the government of that country. It is a well known fact that we are increasing in population, and in proportion as a new country like the North-west Territories develops, a country which extends over so vast an area, the necessity for public improvements increases. Now we find that in the speech from the Throne they foreshadowed the policy of giving us another representative from that country, showing that population, and therefore the wants of that country have materially increased. I understand by the census taken last year it is shown that the population has increased in the neighbourhood of 40 percent, and with those people scattered over the country, the requirements are greater. Still, in the face of that, I see no larger amounts placed in the estimates than last year and year before and I come to this conclusion, that if His Honour the Lieutenant-Governor has been brought down to advise with the government with respect to the finances of the country, he has failed in his duty, or they have disregarded his advice, or he does not understand the requirements of the country himself. I have this to say, that I take exception to His Honour the Lieutenant-Governor being the gentleman who should be consulted with reference to the North-west Territories' matters. We are not so favourably situated in the North-west Territories as other provinces in Canada are. We have no representative in the government to whom we can appeal. We have individually, or collectively, as the case may be, to press upon the government our wants; but we are told in this parliament, and it goes to the world, that we are consulted only as a matter of courtesy, and that the Lieutenant-Governor, an irresponsible man who does not know anything about the country, is advised and consulted with, in regard to the finances of the North-west, and in the end that his advice is not taken, because there is no increase in the estimate this year. I take exception to the government consulting a man of that character. I say those are not his functions, and it would be very proper, if the government do not consult the representatives of

that country, that they should consult Mr. Haultain. He is the Premier of the North-west Territories and has a parliament composed of twenty-nine members, representing every part of the North-west Territories, and by virtue of his position he would know the requirements of the country because he gets the information from these representative men. He is therefore able to make out a statement of what is required. He knows that the country requires more bridges and more roads and improvements of that kind and that the school accommodation should be increased. He is a man who should have some influence in recommending what the appropriations should be. I do not wish to say much just now until the supplementary estimates are submitted, but in the estimates which have been brought down, the amounts for the North-west Territories are placed at so much, less than I expected, that I concluded they could not have taken this man's advice if he had given any? I am glad to learn that His Honour now is in a fit condition to return to the North-west Territories. I regret, however, that he has had to come down here, and has failed to bring a statement showing the amount of the accounts due to the people of the North-west Territories, who helped to erect the buildings and furnished materials necessary to carry on the exhibition. I regret that he did not make out such a statement, because he has had from the month of August to do it in. The Lieutenant-Governor has been here to put those accounts in proper form, and they should have been ready so that they might be voted by the government this session. He has been here in Ottawa I understand two months, and now we are told that his leave of absence has been extended because of ill-health. I question the ability or proficiency of the doctor who gave the certificate. I think that he is hardly up to the standard of medical men, because I have seen His Honour here and have heard of him going to dinner parties and attending the great ball—therefore he must be convalescent and not under the weather. He must have recovered very fairly to attend a ball and I do hope that he will now return to his place of duty. I understand that during his absence, when he is required to be absent on duty, he gets an additional \$5 a day. If that is the case, it is wrong, and now that he has done his duty he should

be required to go back to the Territories. It is a reflection on our section of the country if our Governor can live here in Ottawa. That is not the case in the other provinces. If a Governor is necessary at all, he should reside there part of his time at any rate and therefore His Honour should go back. I did not intend to say as much as I have said, but I hope when the supplementary estimates come down there will be an adequate amount. It should be \$100,000 more than I see in the estimates to-day. The hon. Premier says we ask for great things, that we ask for more than we can get. I am well aware of that fact, but he should bear in mind that the North-west is a great country and it takes more to administer the public affairs up there than in any other part of Canada. We have to get roads and bridges, and when we ask a larger amount for roads and bridges than would be given to other places in Canada we are asking simply what is just and proper for the development of the North-west. It is important that we should have money and when you only give us a couple of hundred thousand or two hundred and fifty thousand dollars for the administration of the affairs of that country and to pay all the expenses that have to be met, the sum is undoubtedly inadequate, and the advice the government has acted upon in giving so small a sum has been bad advice. I hope they will consult the members of the North-west as to the amount that should be given, because it is in the interests of Canada that we should have roads in that country to get to the railways, and bridges to cross the rivers. The government should be most liberal in its policy towards that country, and by that means they will help to develop the resources of the country and make the settlers satisfied and contented, which is an important thing in any country. I will not say more at present, but I hope that in the supplementary estimates the government will see fit to bring down larger amounts to meet the requirements of that country.

Hon. Sir MACKENZIE BOWELL—I have just one word to say in reply to the hon. gentleman. When he intimated that the government paid no respect to the opinion of the Lieutenant-Governor or of the Premier, he was labouring under a misapprehension. It does not follow because the

demands made by a local government, and more particularly a territorial government, are not complied with, that, therefore, no respect is paid to the opinions of those who make the demands. No one recognizes more fully than I do the requirements of the great North-west and its growing importance to the Dominion, but, while I admit that, the hon. gentleman must draw the distinction between a territorial governor, who must be the medium, to a greater or less extent, of communication between the executive at Ottawa and the North-west, and a provincial government which is endowed with full power under responsible government. The opinions and representations of Mr. Haultain have not only been sought always, but they have been acceded to as far as it was deemed proper and as far as the revenue of the country would justify. I have nothing to say with reference to the eulogies which the hon. gentleman has passed upon the North-west. We are as fully in sympathy with those sentiments as he can possibly be. The hon. gentleman knows that the main estimates scarcely ever contain appropriations to meet extraordinary demands, and this territorial exhibition is one of that character, and one which, I hesitate not to say, if acceded to must be granted as an act of grace rather than of right. The wording of the resolution granting the \$25,000 was so clear and explicit that there could not be any possibility of a misunderstanding. I admit, however, the force of the argument which the hon. gentleman has made in saying that the Lieutenant-Governor being the direct representative of the government at Ottawa, they must consider themselves to a very great extent equitably bound to meet the extra expenditure which took place; providing (and I suppose it will be found) that it is traceable to his management. That is about as far as I could go in explaining the position of the government, and the view is one in which I think every member of the Senate will acquiesce. I am sorry that the hon. gentleman should have found it necessary—no doubt he deemed it in the interest of that portion of the Dominion in which he lives—to speak so harshly of the Lieutenant Governor.

Hon. Mr. PERLEY—I did not speak harshly of him.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman questioned the genuineness of the certificate which had been given him. I had sufficient confidence, and so had my colleagues, in the physician from whom the certificate came to believe it to be genuine, and if I were to mention the name of the physician I venture to say that the hon. gentleman would recognize him as one who stands high in his profession and one whose opinion is entitled to respect.

Hon. Mr. PERLEY—I always took it for granted, inasmuch as the Lieutenant-Governor is an officer of the Dominion Government, that they would pay the bills. I knew that they would be honourable enough to pay them. What I refer to is the ordinary expenditure of the government.

Hon. Sir MACKENZIE BOWELL—I have been through that country and have forded a good many of the rivers, and consequently know that they want bridges.

THE HOUSEKEEPER OF THE SENATE.

MOTION.

Hon. Mr. MCKAY moved the adoption of the second report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate. He said: No doubt this report has been read by every member of the Senate, and it is therefore unnecessary for me to make any remarks upon it.

Hon. Mr. DICKEY—I took no part in the discussion of this matter before the Committee, although I voted against it, having decided objections, which have since been strengthened, to the object of that report. I must express my deep regret at this matter being forced before the House for consideration, and I think that those who are interested, especially my hon. friend the Premier, might well have yielded to the very strong objections which were made to the course recommended by the report. When the position of house-keeper was rendered vacant by the death of the late Peter Dunne, the Speaker, in the exercise of his discretion (in my opinion a most wise exercise of that discretion) appointed temporarily to that position the present occu-

pant John Dunne, one of the best known of the employees of the Senate outside of this Chamber. John Dunne has been over thirty years in the service of the Senate and of the corresponding body before the confederation of the provinces. I have been acquainted with him for the long period of thirty years, and I can say without hesitation that outside of this Chamber a more intelligent, more courteous, or more capable employee than the present occupant of the housekeeper's place. That he is a man of integrity and thoroughly reliable is evinced by the action of those who placed him in one of the most confidential positions, that of bank messenger of the Senate. He has shown his integrity in that as in all other cases where his conduct has come in question. I may say further that, having been present at the discussion that took place in the Committee, I know of no person who doubted his capacity for filling the office of housekeeper. He has been from youth upward in close relations with the former housekeeper. He knows all the wants and requirements of the situation—he thoroughly understands the business, and it is no wonder that His Honour the Speaker placed him in that position provisionally until the Senate could pronounce upon the appointment. Some arguments have been drawn from a suggestion that Mr. Carleton is an outsider, and that if he is brought in he will strengthen the staff of the Senate. That is an argument which appeals to me more strongly than any other, because I was instrumental in years past in bringing outsiders into the service of the Senate, in two signal cases. One was the present Doctor Bourinot, and the other is the present Law Clerk of the Senate. But in both these cases, which are by no means parallel to this, there was no question of thrusting out any occupant of the office to which either was appointed. They were both outsiders, and in the case of Doctor Bourinot, he was appointed to a situation which was then created for the first time. We can look back with a feeling of thankfulness that that situation was created at the time, when we compare it with the position we are now in with the staff of reporters at the table. He was appointed shorthand reporter of the Senate for the first time. It was an office that was found in those early years to be absolutely necessary, and it has expanded itself into what we see before us at the present day. With regard to Dr. Bourinot, I

may say, as I can truly say of the other person whom I have named, that he has done no discredit either to the service or to the province from which he came. We have all reason to be proud of them, not only those who are their compatriots and countrymen in the province of Nova Scotia, but also all who have watched their course since they came into the larger arena of the Confederation. Mr. Creighton was opposed, on the occasion when his appointment was moved by myself in the Committee, by another man from the outside, brought from the distant city of Quebec up here with the whole influence of the government at his back and with a very large amount of sympathy from the province of Quebec, but notwithstanding all that, I took the course then which I intend to take to-day. I appealed to the independent opinion of that committee and of the Senate and asked them to look into the question with a view to the character of the Senate itself, and to appoint a man eminently qualified, such as our present law clerk is, for the position, in place of taking the man from Quebec whose appointment would have been worse than a farce—it would have been a calamity. It was admitted afterwards that the Senate had taken a very wise course in appointing Mr. Creighton, although they did it, as I shall have to ask them to do to-day, against the will of the leader of the government. I can only say that I had my reward afterwards in the acknowledgment of all parties that it would have been a disaster to have made the appointment which was approved of by the government. I have no hesitation in saying to-day that if this man, who is recommended by the Committee, be appointed there might be a similar opinion before many weeks or months would elapse. I am speaking now of outsiders being brought into the Senate. On those occasions there was no question of interfering with the staff of the Senate, for there was no candidate from it in either case, but to-day the question is before us in a very different position. We are asked to thrust out a man whose qualifications for the office are undisputed, who is perfectly competent and who is in the direct line of promotion. We are asked to thrust him out and put into the office a stranger and outsider, a man of whom we know nothing; but we do know the capacities and qualifications of the man who is in, and that will be the question which will be submitted presently to the House. By a curious coin-

cidence, Mr. Creighton's appointment was carried by a very small majority, some two or three votes, against the government. This appointment, on the other hand, has been carried by a very small majority, which the change of one or two votes would have made a majority the other way, and we are asked upon that to make the appointment which is recommended by the report that is in your hands. There is a principle underlying this subject, which is of very considerable importance, and that is the principle of promotion in the service of this House. If you take away from men who are doing their duty as best they can the opportunity of being promoted after they have discharged their duty thoroughly to the satisfaction of their employers, you take away the greatest safe guard of having those duties well performed. That is the principle upon which we are acting in this case. If the man who is recommended for appointment in this report were decidedly superior to the one who now fills the office and is in the line of promotion, then it would be an entirely different matter, but no one can tell how Mr. Carleton would serve as housekeeper here. We know nothing of his qualifications for that position. We do know of the qualifications of the other men. But I am speaking now of the principle involved. It is this that the principle of promotion should only be set aside in a case of undoubted superiority on the part of an outsider over the occupant of the position. While I am on that subject I am unable to recall any instance in this House, and I doubt if any hon. gentlemen can suggest one, where an occupant of an office has been thrust out to make room for an outsider. I recollect of none such. It would be a great calamity if we were reduced to that. But fortunately we are not; we have already in the service of the Senate persons who are qualified for the position and it is but fair to the Committee to say that they dealt with the question on broad grounds. It was understood that although there were many applicants it narrowed itself down to a pure contest between John Dunne on one side and this man Carleton on the other. We need not go further than that in discussing the question now. Under those circumstances this report recommends the appointment of John Carleton at a salary of one thousand dollars a year, etc., and in order to get this appoint-

ment for him, it provides a solatium of \$100 a year additional salary to John Dunne, not to speak of the other \$50 to Mr. Gilbert, which is fairly enough made and can very well be defended, but in the course which I take in this matter I shall let that increase stand to be dealt with afterwards. We are at present dealing with the position of the housekeeper, and have nothing to do with the keeper of the news-room. In order to carry that appointment out, we are asked to give an increase to John Dunne, to smooth things over, and get a majority for the person who is recommended. Now, the issue, as I have already stated, is between these two. Shall we thrust out John Dunne, who has been appointed provisionally, and has shown his competency for the work since he was appointed? I have heard no complaints;—in fact, during a long acquaintance with the course of his conduct as one of the employees of the Senate, I have never heard any charge made against him, either as to his capacity or as to his honour. Why should we look for an outsider, when we have among our own staff an officer who is admittedly competent? It is suggested that we should do so because it has been recommended by a member of the government in whose employ this man was, that he should be provided for, presumably to make way for another person who will be appointed in his place. I want the Senate to consider in what position they place themselves, if they put a precedent like this upon record. There is no precedent for it in 30 years of our existence as a legislative body, but if the Senate staff is to be made a place of refuge for the employees of the government in other branches, or other departments, then I think the Senate will have descended to a lower level than I have ever known it to reach before. That is a point which ought to weigh with this House—because it will be making a precedent, and we know precedents are acted upon after they are made. There are many other considerations, which I cannot say I should like to dwell upon, because I dislike to dwell upon anything which excites unpleasant feelings. I am following the rule that I laid down for myself—that I would say as little as possible to provoke discussion on this question and deal only with the merits of the parties whose names are included here. The resolution which I

ask the House to adopt in amendment to that moved by my honourable friend, the Chairman of the Committee, is this:—

That the second report of the Standing Committee on Internal Economy and Contingent Accounts be not adopted, but that John Dunne, Acting House-keeper, be appointed House-keeper of the Senate in place of the late P. Dunne, at a salary of \$1,000 per annum from the date of the provisional appointment by His Honour the Speaker, with the place of residence and other privileges of the Senate.

It will be seen that what I propose by this resolution confines this matter as much as possible to the question of who shall be the house-keeper, and in dealing with that, if we refuse to adopt this report, we get rid of the proposed increase of salary to John Dunne. We get the matter placed on the fairest footing irrespective of the question of the \$50 increase to Gilbert, which is a matter with which the Committee could deal at any time, because it has no relation to this, except, apparently for the purpose of enabling this office to be got for the man recommended for it. Under those circumstances, I shall leave the matter in the hands of the House. I trust that this House will recollect that they are deciding for the *morale* of their staff and their service and keeping up the *esprit de corps* of that service and making it what every other service ought to be, a service where they can feel that they will get promotion if they deserve it by their good conduct and that they will not be met by outsiders coming from other departments and the Senate will benefit by taking an independent course. In this case I take it for granted we will be at liberty to vote according to our convictions, apart from politics. There are no politics in this matter, I disclaim it altogether. As far as I am concerned, I am merely acting in defence of the *morale* of the Senate itself. I want it understood well before the country, and I do not want it to be said that this place is to be a place of refuge for the employees of members of the government to be brought here.

Hon. Mr. OGILVIE—Remarks have been made by the hon. gentleman from Amherst which astonish me very much. I generally listen with a great deal of care and respect to what falls from the hon. member, having great respect for his position in this House, and for his age and experience, but he has brought forward some remarkably new ideas

this afternoon. The hon. gentleman laid great stress upon the fact that we were going to thrust a man out and put another man in. I do not see the possibility of thrusting out a man who never was in. John Dunne is a good man for the place that he is in ; no one doubts that, but that he is a first-class man to be house-keeper of the Senate is open to question. It is doubtful in my mind whether he would be a first class man or not. In my short experience of twelve or thirteen years about this House, I know that P. Dunne was a great deal too easy with the messengers ; he did not keep proper control of them. They were allowed to do much as they pleased. It is to the knowledge of myself, and other members of the Senate, if they wish to speak it out, that while some of the messengers are first-class men, the service is very far from being what it should be. I have dealt with a good many men, and have had a good many men under me in my time, and it very rarely happened that I took a man from among them and placed him over them. I generally had to bring in a man to place over the others, because if I selected the foreman from among the men and placed him over them, I seldom got a good service. On one occasion, the man whom I picked out was a first-class man, but that is the only case I know of. A good deal has been said about Mr. Carleton being an outsider who is thrust upon us. I do not know that he is an outsider. He has been serving the government a good many years, probably nearly as long as Mr. Dunne. Then, if you want to follow this great precedent of taking the oldest members and giving them promotion, if the reports I got in the committee the other day are correct, Mr. Dunne is not entitled to the position by virtue of seniority. If promotion is to go by seniority then take the senior man and put him into the place, whether he is fit for the appointment or not. That would be a new idea to those who are in the habit of keeping good men to do their work. Mr. Carleton may make one of the best housekeepers we ever had, but we may make our minds easy as to disasters happening before many weeks if he is appointed. On the contrary, we would probably find the service of our messengers vastly improved. I do not think it could be very much worse than it often has been since I have been in this place. I deny that Mr. Dunne is being thrust out of the place.

He is not the oldest messenger, nor has he the best right to it. He is a first-class man in the place he has occupied. I was one of those who suggested that he should have an increase of salary, because he is a most obliging man, but it does not follow that he is the best man for the position of house-keeper, and from what I have heard from people who know, I have no doubt that Mr. Carleton is quite as likely to be a first-class man as any other that we could pick out.

Hon. Mr. BELLEROSE—Before the vote is taken, I wish to explain my position on this question. Up to this time I have always been in favour of promotions, believing that if you do not hold out to those who occupy subordinate places the expectation that by good service they will be advanced, you will never have good officers. That is a common rule everywhere, and every one recognizes it in his own business affairs. Experience shows that it is the best. In this instance I do not see that the principle is carried out. According to what the hon. member for Alma (Mr. Ogilvie) said a moment ago, Mr. Dunne is not the oldest messenger in the House. Then why invoke the principle of promotion, as the mover of the amendment has done in his speech, if Dunne is not the oldest? Can any hon. gentleman tell me who is the oldest?

Hon. Mr. OGILVIE—Gilbert or Rattey.

Hon. Mr. LOUGHEED—I would say to my hon. friend there are three, Gilbert, Rattey and Larose. I am informed that Larose is older than either.

Hon. Mr. BELLEROSE—If the oldest officer were substituted for Carleton I would vote for that; because I am in favour of promotion, but if that principle is not followed in the report or in the amendment, I might just as well take the stranger as the other. The amendment might be amended by substituting the name of Mr. Rattey for that of Mr. Dunne. Why does not the hon. member for Amherst say that Mr. Gilbert should have it, because, according to the principle he advocates, Gilbert should have it.

Hon. Mr. DICKEY—I did not contend that the oldest one was the best entitled to it, but my principle was this, that the promotion should come out of Senate officials,

and it happens that in this case Gilbert did not want it and Rattey could not have it.

Hon. Mr. READ (Quinté)—Rattey was an applicant.

Hon. Mr. DICKEY—When the question came before the committee there was no question in controversy except as between the two, on which question a vote was taken—it was a question between Mr. Dunne and an outsider. In fact the Committee did not entertain a question between Dunne and Carleton.

Hon. Mr. BELLEROSE—It may be that in the committee the others were not put forward, but their application was there. It was the duty of the committee when it was proposed to promote some of the officers, to inquire into the facts to know which was the oldest, and after that move in that direction and then advocate the principle of promotion; but advocating the principle of promotion, and not carrying the principle into effect seems to me very peculiar. I am surprised at the hon. senator from Amherst (Mr. Dickey); he generally shows himself a better logician. Then there is no reason to induce any member of this House to vote for the amendment if this argument is not carried into effect. For my part, I am ready to vote for promotion. Whenever that question of promotion is brought before the House I will vote for it.

Hon. Mr. MASSON—The Committee was told that Mr. Rattey was senior and Mr. Gilbert too, and they decided that the two applicants who would be entertained were Dunne and Carleton. Now I tell the hon. gentleman, for his information, that almost all the applications were considered. We did not consider that of Mr. Larose because he was the only one who did not apply. All the others were taken into consideration and the Committee decided that Carleton should be appointed. The Committee considered these two cases. They considered Carleton's case was superior to that of Mr. Dunne's. The only two whose cases were considered in the Committee seriously were the cases of Mr. Dunne and Mr. Carleton, and it was decided by a majority of 12 to 10 that Mr. Carleton should have it, that Mr. Dunne's claim by seniority, being the oldest messenger available, should be put aside.

Hon. Mr. KIRCHHOFFER—I would like to say a few words with reference to the vote which I now propose to give in favour of the adoption of the report, contrary to what I had said on several occasions I intended to have done. I make this personal explanation on my own account entirely. I was late in coming down to the sitting of the Senate, and the first information I had of the late Peter Dunne's death was on my arrival here. At the same time, I got a circular addressed by Mr. Rattey asking for support in getting this position, and almost simultaneously Mr. Dunne came into my office and made a similar request on his own behalf. Not knowing anything of any other applicants at that time, and having a warm feeling towards the present Mr. Dunne, I gave him the promise of my support. My promise was only to Mr. Dunne. I made no obligation to anybody else, and therefore, having seen fit to change my mind on this question on discovering there was another applicant—which I did not know at the time—and I have my own opinion whether one is bound to a promise given unless you know all the parties who are applicants, as in the case of a candidate for parliament, when subsequently another candidate comes in the field—under these circumstances I felt I would have done my duty if I sent for Mr. Dunne and asked him to relieve me of the promise I had given. I did so, and he consented with the utmost cordiality, and at the present time the most friendly relations exist between us. Under these considerations I feel that I am free to vote as I please on this question.

Hon. Mr. CLEMOW—I regret that this discussion has taken place. I think that these matters should be discussed in committee. I have endeavoured to support the decision of the committee as far as I can. However, the question is before us and we have to decide it. I think the member for Amherst has not been fortunate in the allusions he has made with respect to the principles laid down. He himself shows he had on various occasions violated the principle that he now advocates, and they have turned out admirably, and if that was so in the cases he has referred to, why should it not be equally so in the matter under discussion at the present time? I do not believe in this hereditary idea at all. The practice is when a man gets in a position

under the government, he considers he has a lifelong lease of it, whether he is capable or not, and not only that, but he must drag in all his sons and daughters and wife's relations and have this a place a refuge for them. I am a firm believer in infusing new blood into the service of the Senate, and I think it should be exercised on this occasion. I am not going to say anything with respect to John Dunne. He may have been a very satisfactory man to perform the duties devolving upon him in the past. But it does not follow because a man is a good bank messenger and can carry a few bank cheques in his pocket safely, that he will make a successful caretaker of the Senate. He might prove a good man for the position, but not simply because he is a good bank messenger. I think it is necessary that we should show that we are determined, as far as in our power lies, to make the Senate a credit to Canada. I am not going to find fault with the management of the building in the past, but it was a perfect nuisance. I have been in this building when the atmosphere was so offensive that it was almost impossible to walk through certain parts of it. I do not know who was at fault, but I fancy it was the housekeeper of the Senate, and I hope that whoever is appointed will see that no such thing takes place in the future. I know the atmosphere at times has been so offensive as to make it almost impossible to remain here. Now the members of the committee have no personal interest in this matter. They merely want to do what is in the best interests of the Senate and the people of this country. I do not believe a man should be kept in an office here and have his family kept with him for a life time. I believe in equal rights to all and the Senate should give fair play to all. The committee have acted properly in doing as they have done. I have no doubt that the man who is recommended will perform his duty and in a very short time there will be a great change in the management of the affairs of the Senate. They require a change, and a change for the better there will be when we get a man with backbone enough to carry his views out. Whether John Dunne is fit for the situation or not, I am not prepared to say. He has had no experience, but we want to bring in some new blood, and I think we had better do it as soon as we can. If we do so we will have

the same experience as the hon. gentleman from Amherst has had, and the people will applaud us for carrying out the suggestion of bringing in new blood. The hon. member has set the example, and if it is a bad one he is to blame for it; but I do not think it was wrong. I believe it is a correct policy to pursue. I believe that we should select the best man irrespective of any other consideration, just as a bank or a railroad company would do. They have employed the best talent available, then paid their employes such remuneration as their services deserved, and by this means satisfactory results have ensued. The committee, after a full consideration of the applications submitted, made the best recommendation they could. They had no private interests to serve, and were prompted solely by a desire to promote the efficiency of the service. From my personal knowledge I can say that this appointment is necessary in the interest of the Senate, and the report should be adopted. It would be dangerous to reject the report. The committee is composed of 25 members, and at a full meeting the whole subject was thoroughly discussed, and the decision arrived at by a vote sufficiently large, at any rate, to show that the majority recommended the appointment of Mr. Carleton. I hope the House will carry out the recommendation and not substitute any other name for that of Mr. Carleton, or refer the report back for consideration.

Hon. Mr. LOUGHEED—Although this question had not appeared at the beginning to be one that admitted of much discussion, it appears to be sufficiently broad to admit of considerable difference of opinion being expressed thereupon. The first matter that presented itself to the committee was the application of several persons for this position. It is a well-known fact that four or five servants of the Senate desired to secure the position of house-keeper. We sometimes get very tired when hon. gentlemen talk on questions of principle and the desirability of adhering to the principle of promotion—restricting it to well-worn lines and forbidding us to wander out of the same. Now there were four servants of the Senate whose application was before the committee. It is idle to say that three of them were not desirous of securing the office. The mere fact that a formal application not having been submitted did not operate one way or

the other. There was the application of John Dunne, the circular of Mr. Rattey, and a desire which perhaps did not form itself into a formal application of two other servants of the Senate to secure the position.

Hon. Mr. POWER—Yes, they had applied.

Hon. Mr. LOUGHEED—Then let us view the situation of there being five applicants for the position. Some hon. gentlemen doubted my assertion that there were three servants of the Senate who, in the matter of date of appointment, took precedence in seniority to John Dunne. I have the blue-book before me, and very fortunately it will corroborate the statement I have made. Frederick Gilbert is the first appointed in January, 1856; Rattey appointed in February, 1859, next Larose appointed in 1865, and next John Dunne, appointed in March, 1866. The most formidable contention that was advanced before the committee as to the appointment of Dunne, was the question of the principle of promotion on the ground of seniority—

Hon. Mr. POWER—Of course, it is out of order discussing what took place before the committee. I do not object to the hon. gentleman doing it, if it is understood that other hon. gentlemen will have the same liberty.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman should have taken his objection before. The hon. gentleman from Amherst discussed the whole proceedings before the committee.

Hon. Mr. LOUGHEED—I was about to say that the hon. gentleman did not begin to get technical until after those who had spoken on his view of the question had got through.

Hon. Mr. POWER—That is the rule; we do not object while everything is going in our own favour.

Hon. Mr. LOUGHEED—My hon. friend from Amherst has to say the least been ingenious in regard to urging this question before the House; I must congratulate my hon. friend on the measure of special pleading which he adopted in urging the appoint-

ment of Mr. Dunne. Allow me to say in the first place that my hon. friend from Amherst found it necessary to point out to the House that there were some very serious exceptions which already had been adopted by the house in regard to the principle which he so very urgently laid down, namely as to the question of bringing outsiders into the Senate and as to the question of promotion. My hon. friend admitted that perhaps no one had been more active than himself in bringing outsiders into the service of the Senate notwithstanding the fact that he has expressed himself to be such a warm admirer of making this a close corporation and of confining appointments to those already in the service. My hon. friend alluded to two appointments already made and at his own instance, and so far as we understood those appointments have been eminently satisfactory to my hon. friend and to the House itself. I cannot conceive of any stronger argument being advanced by any hon. gentleman in regard to the adoption of the report now before us for consideration, than the very argument which he himself has used in reference to those appointments. If there is one question which appeals to us more strongly than another it is the wisdom of the action of the committee illustrated by the splendid exceptions stated by the hon. gentleman from Amherst that outsiders may be brought in to perform services which may prove very satisfactory to members of this house.

Hon. Mr. DICKEY—When the hon. gentleman states my argument it is but fair to state the whole of it. I said distinctly that in neither case was there an applicant from the staff of the Senate—that it was between outsiders altogether that the contest was. The hon. gentleman has made a mountain out of a mole-hill.

Hon. Mr. LOUGHEED—I will take the hon. gentleman's statement as he puts it. I ask the hon. gentleman if the case before us is not precisely analogous to the one which he has stated. There was a vacancy—it was caused through the death of Peter Dunne—it became necessary to fill it. True, it was necessary that during the recess a servant of the House should be placed for the time being in the position but the action taken by the committee on this case is precisely analogous with the cases cited by my

hon. friend. Will the House say as my hon. friend has said that we are thrusting out a servant of the House for the purpose of appointing another? Every one knows that that particular office was vacant, the former incumbent having died it was necessary to appoint some one to fill the office. Now no one will lay down this principle that because a servant of the House had been placed in the position for the time being until a permanent appointment had been made to a particular office that it was incumbent upon the Senate to appoint that servant to the position.

Hon. Mr. DICKEY—I did not contend so.

Hon. Mr. LOUGHEED—That was precisely the hon. gentleman's contention. He started out by saying we are thrusting a man out. I beg to differ from the statement which has been so absolutely made and to submit to the House that we are not thrusting out a man, but are filling an office which has become vacant. So much for bringing in an outsider. I desire to touch upon another phase of that question, and that is, we are not bringing an outsider in. I certainly claim the liberty, as a member of that committee and of this House, of bringing in an outsider if it is desirable to do so, but what is sought on this particular occasion is simply the transfer of a very faithful servant who has been in the public service fifteen years or more from one part of the service to another part of the service. My hon. friend has already cited to the House perhaps the very best illustration I could cite as to the propriety of doing that very act, namely, the case of Mr. Bourinot, now Clerk of the House of Commons, who was transferred from this branch of the service to the other branch of Parliament. Another case of a similar kind might be mentioned in the case of the law clerk of the House of Commons, who was transferred from the service of the Senate to the service of the House of Commons. So we have very fortunately illustrations with which my hon. friend from Amherst is particularly familiar, proving beyond all controversy to my mind the propriety of the act we are undertaking to do on this occasion. Now, on the question of promotion. The principle of promotion has been discussed at great

length and hon. gentlemen have expressed themselves as most warmly adhering to a close observance of this principle. But when we investigate this matter we find that hon. gentlemen who are urging this principle upon us are doing violence to the very principle they are enunciating, namely, the question of promotion. If promotion is to be observed it should be observed consistently and if three or four servants who have been longer in this branch of the service than others are to have the principle extended to them those servants whom I have already mentioned should certainly as my hon. friend has already observed have the preference of the appointment. The hon. member has made another statement—he stated that there are no politics in this particular question. I will undertake to say that when there is a division on this question or before the question is fully discussed you will find my hon. friend the senior member from Halifax, my hon. friend from Victoria, my hon. friend from Ottawa, my hon. friend from Hopewell, my hon. friend from King's, and my hon. friend from Granville, in fact every gentleman who belongs to the Liberal Party voting against the report.

Hon. Mr. ALMON—I fancy the junior member from Halifax will be quite as strong a supporter of the amendment as the senior member from Halifax.

Hon. Mr. LOUGHEED—I refer to the senior member from Halifax. I will hazard the remark that when the yeas and nays are called on this particular question and when those hon. gentlemen ascertain that the Prime Minister is very desirous of having the report of this committee adopted those gentlemen will show wonderful activity in voting for this amendment of the hon. gentleman from Amherst, so that the statement as to whether there are any politics or not in this question I think will be demonstrated beyond a question when we arrive at a division upon this motion. Now as to the qualification of Mr. Carleton: he has already received the appointment so far as the report of the committee is concerned. I submit it is a reflection upon the intelligence of those members who constitute the committee in saying that they overlooked the question of the qualifications necessary to perform the duties of caretaker.

Hon. Mr. POWER—The hon. gentleman made a great point of the fact that Mr. Larose was senior to Mr. Dunne. This book shows that he was not appointed until 1884.

Hon. Mr. LOUGHEED—I take the blue-book showing the names of the various servants of the Senate and the dates of their appointments. I find that Mr. Larose was appointed in 1865.

Hon. Mr. POWER—He was in the Public Works Department. Mr. Larose did not apply for this position.

Hon. Mr. LOUGHEED—My hon. friend will not surely resort to that very small argument to demonstrate that Mr. Larose did not want the position, because I will undertake to say that no one was more anxious than Mr. Larose himself to obtain it. I was touching on the question of qualification and I venture to say that the remarks already made on the question of Mr. Carleton not possessing as good qualifications as Mr. Dunne were rather a reflection on the intelligence and ability of the committee to make the selection. There are many gentlemen here who know Mr. Carleton and who know him to be possessed of the very best qualifications for the office. We know also that for a great number of years he had been the official messenger of the Premier. The recommendation given by the Prime Minister of the Dominion of Canada in regard to the qualifications of Mr. Carleton should be beyond all controversy, I am satisfied it was so accepted by the members of the committee and I doubt if there is a member of this House who notwithstanding his opposition to the appointment of Mr. Carleton will for one moment be actuated by the belief that that gentleman does not possess all the qualifications to most satisfactorily fill that office.

Hon. Mr. POWER—Oh, no.

Hon. Mr. LOUGHEED—My hon. friend says Oh, no. I will undertake that my hon. friend, the senior member from Halifax, is a sufficient judge of human nature to know that Mr. Carleton possesses quite as good qualifications as the man whose appointment he is advocating. There is a further fact of the committee recommending Mr. Carleton.

I ask hon. gentlemen here to support the report of the committee. Here is a committee that thoroughly considered the question; the matter before them was discussed in all its phases; any objections which could be urged against any of the applicants were then advanced. The opportunity afforded a very much better chance for the proper consideration of such a question than any discussion which can take place upon the floor of this House; and I say unless hon. gentlemen can urge some valid reason why the appointment should be rejected, should feel it incumbent upon them to support the report of that committee. The matter has been fully thrashed out, has been fully weighed by every gentleman who gave his vote on that question; and I urge upon this House to support the report of the committee as being the very best report that could be arrived at from a proper and mature consideration of the question.

Hon. Mr. ALMON—I think that as a general rule the report of a committee should be received without being discussed, but this case should be an exception to the rule. In a full committee there was a majority of only two in favour of the report, and one member did not vote, and on that account I think it is quite proper that we should consider the finding of the committee. I believe likewise that the committee were not allowed to fairly express their opinion.

Hon. MEMBERS—Oh! oh! order.

Hon. Mr. ALMON—My authority for saying that is—and the leader of the House will correct me if I am wrong—that I understood he objected to the vote being taken by ballot and some of the members of the committee, feeling that he was the premier of this Dominion, controlling the patronage from the Atlantic to the Pacific, thought that he had a little more influence than an ordinary member would have, and perhaps there were some with whom that would have more weight than his arguments, and I understand they asked to be allowed to vote by ballot and he refused. I am told so: if I am incorrect in that I will withdraw it.

Hon. Mr. McKAY—The majority of the committee refused it.

Hon. Mr. ALMON—That certainly is a reason why it should be discussed over again and a free and independent opinion given. The hon. gentleman from De Laaudière says that there are others who should be appointed in preference to Mr. Dunne if seniority is to be a guide. That is true, but they were persons who had passed the 35 years of service and therefore could command their superannuation at any moment, and likewise (which I am sorry to say I am afraid has been done in other cases), they could be shoved out and compelled to take their superannuation. When I rose to speak on this matter on a former occasion, I said that a good deal of indelicacy had been shown in passing this report. I thought it was a very mild term to use, perhaps too mild, but I was called to order in a very disorderly manner, and I think it was decided that “indelicate” was not an unparliamentary term. The reason I used that term was because, as the late Mr. Botsford, the last of the Tories, used to say when he was in the Senate, the House of Lords is our precedent. I trust that he was right, but does any one suppose that Lord Salisbury, if he wanted his servant to be appointed to the position of housekeeper in the House of Lords, would go round and personally canvass the members, or that he would attend the meeting of the committee and refuse the committee the right to vote by ballot? I trow not. To come to our own country, would Sir Alexander Campbell, that perfect gentleman, when he was leader of the Senate, have pursued such a course if he wanted his messenger appointed? I trow not. I am speaking none too strongly, because the Premier and leader of this House has, to my mind, derogated from the position he holds as one on whom Her Gracious Majesty the Queen has conferred the honour of knighthood. I could speak more strongly, but I cannot divulge the confidence of those who have given me the information; but every one knows that the premier has personally canvassed a large number of the members of the Senate and asked them as a personal favour to change their votes and support Mr. Carleton. I have heard it from so many sources that even if one person were to deny it I could scarcely disbelieve it. It has been said that this will be made a political question. I think I am about as good a Conservative as any one, and I am

not sorry to see that our grit friends are voting on the right side. What does the Bible say? There is more joy over one sinner that repenteth than over the ninety and nine good conservatives who have no need of repentance. I have great respect for the senior member for Halifax, and I wish that he could vote with me, not only in this instance, but in many others, and it would be much better for him both in this world and in the next. An attempt may be made to read me out of the party and to proclaim that I am no longer a Conservative. My answer to that is a story that was told by a gentleman whose servant displeased him in some way. He said “Sandy, leave my service immediately.” Sandy replied “If you dinna ken when you hae a good servant, I ken when I hae a good place, and I’ll just bide where I am.” I know when I have a good place and I bide where I am.

Hon. Mr. PROWSE—I hope I misunderstood the last speaker. As I understood him he said that the Premier had canvassed for the candidate recommended by the committee.

Hon. Mr. ALMON—I say that he personally canvassed a number of members of this House, and if the hon. gentleman will deny that, or relieve those gentlemen who made him the promise, I shall be perfectly satisfied.

Hon. Mr. PROWSE—I can only speak for myself, and I can tell him this, that neither the hon. Premier nor his candidate, if he has a candidate—I refer to John Carleton—solicited my vote. The committee know that I proposed at their meeting another gentleman altogether, and would very much like to have seen him appointed. But I do hope, hon. gentlemen, that the hon. member from Halifax has a little higher opinion of the members of this Senate than to suppose that they would be influenced by any desire or expressed wish of the Premier of this Dominion in the matter of appointing a servant of this House. I would say evil be to those that evil think, and I do not know any one who is a more—I would say it if it was not unparliamentary.

Hon. Mr. ALMON—Better say it.

Hon. Mr. PROWSE.—I do not know of any person who is a more servile member of

his party than the hon. gentleman himself, and I may tell him that every member of this House is as free to give his vote as the hon. member himself. I do not think it is necessary to discuss the question further. I do not give my assent to the proposition that positions of this kind are to be handed down from father to son, or from one brother to another because they accidentally have had it in the past. If forty years of that position in the government is not sufficient for one family, I do not know what ought to be, and I take it that if this principle of promotion is to be adopted, then we do not require to have this question brought up in the committee at all, because the appointment would follow as a matter of course, if it was a question of promotion only. I say the committee are at liberty to consider the qualifications of the men in the matter.

Hon. Sir MACKENZIE BOWELL—It was not my intention to discuss this question; but inasmuch as my name has been connected with it to a greater or less extent, and the junior member for Halifax has thought proper to make several personal allusions to myself, I shall make a few observations. I am sure my hon. friend from Amherst will forgive me if I say I must differ from him in a few of the propositions he has laid down with reference to the management of the Senate or any business with which any of us may be connected. In the first place let me point out to the Senate—not that they do not know it as well as myself,—that it is a clearly laid down principle in May, and all writers upon parliamentary usage and parliamentary discussions, that the proceedings of a committee shall not be discussed in the deliberative body, whether it be in the House of Commons or the Senate. You have the result in the report of the committee laid before you, and the merits of that report you have a right to discuss, and discuss very fully; but you have no right, under the rules, to discuss what took place in the committee, because the members of the committee are supposed to be more free in their actions than probably they would be upon the floor of the House. I merely, as the leader of the House for the present, lay that down as a proposition which it would be well for us all to follow in the future. It would relieve us from those personal encounters which necessarily follow

from referring to proceedings of a committee. There were two members absent from the committee, and not only one, as stated by the last speaker. I am not aware, however, that in the proceedings of any deliberative body because a member happens to be absent, whether designedly or for any other cause, therefore the action of the committee ought not to be accepted by the House as being just as binding as if every man was there. In the second place, the hon. junior member for Halifax has made a statement which is not borne out by the proceedings or the facts. I had no power, as a member of the government to prevent the committee from voting as they pleased. It is true I have always been opposed to the ballot. I voted against its introduction when I was in the House of Commons. I like the manly, straightforward way of voting, although I am just as satisfied in my own mind—and there are hon. gentlemen sitting before me who know the truth of what I say—that the ballot gave me a much larger majority in my own constituency than I otherwise would have got, because there were many Reformers who approved of the principles that I advocated and cast their ballots for me, who would be afraid to vote openly, for fear of being accused of deserting their party. Notwithstanding that fact, I have always been opposed to voting by ballot. I am not going to refer to the proceedings of the committee, but those who know what took place there are aware that the charge made against me, of attempting to influence, directly or indirectly, is without foundation. I venture this assertion—it may be immodest in me to say it—that I question if anyone who has occupied a similar position to that which I hold in this House has attempted to use his influence to a less degree than I have. There is another point with reference to which the hon. senior member for Halifax seems not to be capable of drawing a distinction. Mr. Carleton is not my servant; never was my servant. I am sorry to see that he cannot draw a distinction between a servant serving under a particular minister of the government, and a personal servant whom a man would pay himself. Carleton was no more my servant than was Mr. Dunne the servant of the hon. gentleman himself. I make this explanation in order that there may be no misunderstanding as to the posi-

tion that Carleton has held in the past as a servant of the Crown. He is under me to-day; he may be under another Minister to-morrow; and it is just the same with the clerks. I do not know that there is any member of this House who knows better than the hon. member from Halifax, that in the exercise of the power which a minister has in promoting officials from one position to another in the service, not because they were seniors, but because they had influence and because they belonged to certain families, who exercised influence with the government, that I have been sometimes induced to do in the city of Halifax, in the promotion of officials, that which probably I would not have done if I had been left to my choice. No one knows that better than the hon. gentleman who has accused me of attempting to use undue influence in connection with this matter. Now what the hon. gentleman meant by divulging private conversation I do not know. All that I can say is that, so far as I am individually concerned as a member of this Senate, as a private gentleman, or as a premier of the Dominion, he is quite at liberty to divulge any conversation that I have had, if he knows of any with any member of the Senate, or with himself. I have had no conversation with the hon. gentleman on this matter and no conversation which would affect me in the least, or that he may not divulge if he wishes. The little sneer about a belted knight was something which was very unnecessary and discourteous. I can tell the hon. gentleman this, that I have never received from the people of Canada, nor from my late premier nor from Her Majesty, anything that I ever sought for individually. Now let him say the same if he can. If I received a recognition of honour from Her Majesty, it was unsought on my part, directly or indirectly, and I am very glad to find that I have now the opportunity of giving the most emphatic denial, and to resent in the most emphatic manner possible the innuendo that I ever sought any position I have occupied in the public service, and I question very much whether there are many gentlemen in the Senate who can do the same, particularly the gentleman who has just spoken.

Hon. Mr. ALMON—I rise to a point of order. I understand the hon. gentleman to say that I charged him with having done so. The hon. gentleman spoke and looked at me

as if I had said he had ever sought any position that he has held. Did I ever say so?

Hon. Sir MACKENZIE BOWELL—I did not say you did; but you did that which is much worse, you insinuated that honour had been conferred, leaving the inference that I had received that to which I was not entitled, or that I had sought for it.

Hon. Mr. ALMON—I never said anything of the kind. However, go on; it does not matter what you say.

Hon. Sir MACKENZIE BOWELL—I must leave myself in the hands of the Senate as to whether I am out of order. If I misapprehended the statement of the hon. gentleman, I should be ready to apologize for putting a wrong construction on his language. But I am perhaps unfortunate in that respect; when a gentleman refers to me and makes it a personal matter, I am very apt to resent it with as much warmth and force as any hon. gentleman, no matter who it may be. Being but a youth in the Senate, I have great respect for the opinions of the senior members of this body, but I was not aware that I was not entitled to a seat in the Senate because it was a promotion from the Commons. I have done with that portion of the question, further than to repudiate, in as plain language as I can, the insinuation that any undue influence has been used by me either as a member of the government or as a member of this House. My hon. friend from Amherst was a little more mild in his condemnation, and it was done in that courteous way to which no one should take objection. He holds, no doubt, very strong opinions on the question of promotion. That feature has been so amply dealt with by the hon. member from Calgary that I do not deem it necessary to refer to it. I have this to say, however, for his satisfaction, that from some fifteen years' experience and knowledge of Carleton, who has been recommended to the position of housekeeper, I know that by education, by manners, and by intelligence, he will be found just as capable of fulfilling those duties as any other man in the country. He is not an outsider, unless you lay down the principle that a man in one portion of the service of the government is not to be promoted to another.

Hon. Mr. POWER—The hon. member must know that the service of parliament has always been looked upon as distinct from the service outside.

Hon. Sir MACKENZIE BOWELL—I do not propose to admit that they necessarily should be distinctive; I say nothing of that. If the question of seniority of service was to be considered exclusively, I the hon. gentleman from De Lanaudière put the matter very clearly, and the hon. member from Calgary has proved beyond doubt, from facts, that there are men in the service of the Senate who are ten years the senior of Mr. Dunne, and another six or seven years his senior. Neither am I prepared to admit the theory of the hon. gentleman from Amherst, unless it is understood that because an hon. gentleman occupies the leadership of this house, or a prominent position in the government, he must abnegate his functions as a member of the Senate. I am not prepared to admit the theory laid down by my hon. friend from Amherst, that the premier should not use his influence, if he has any, in order to accomplish an object which he believes to be in the best interests of the service, as I certainly do in the course I have pursued in this matter, and had it not been for fear of having the charges truthfully made against me that have been made, I should have taken a more personal interest in the matter than I have done. The Speaker's action, to which the hon. gentleman has referred, in placing Mr. Dunne in the position temporarily, was that which I think every hon. gentleman must approve under the present circumstances. He took the staff as it existed at the time, and made provision to carry on the service of the Senate, until the committee had an opportunity to make such arrangements as they thought best in the interests of the Senate itself. I agree with the views of the hon. member from Calgary, and more particularly with the remarks he made in reference to bringing in Doctor Bourinot, who was taken as an outsider and placed over the deputies of the House of Commons. I do not know in the whole catalogue of constitutional students in America, that a better selection could have been made than in appointing that Nova Scotian. The same principle should

be carried out wherever it has been found necessary, in order to benefit the public service. My hon. friend also said that it was unfortunate, to his mind, as it rendered it difficult to get at the independent opinion of the members of the committee, and I also understood him, the independent opinion of the members of the Senate. Why surely no one supposes for a moment that there is a man sitting in this house who has not an independent opinion of his own, and can act as he thinks best upon this matter. I further object to the statement that this House is made a refuge for outsiders whom you want to get rid of, in order to give positions to someone else. Now the hon. gentleman may honestly—and I have no doubt he did—think that that was the fact. But such was certainly not the case. Carleton was not proposed here in order to make room for anyone else. He had resigned his position as messenger in the service of the government before the question was brought up in the Senate at all.

Hon. Mr. POWER—The question was brought up last year.

Hon. Sir MACKENZIE BOWELL—I am aware of that fact. I do not desire to refer to what took place last year, but if I did I would say that several members took a different course then from that which they ask to be carried out this year, and to which they were party until they were interfered with by others. I have an objection to this House being made a preserve for those families who may, either by chance or influence, or for any other reason, have obtained positions in the Senate. I agree with the remark made by some hon. gentleman who preceded me, that new blood is very apt to be a benefit, not only in deliberative bodies, but also in the management of business. I am sure you will all agree with me that the new blood infused into the Senate has not done it any harm, but has been a benefit to it. Notwithstanding that, I do not desire to underrate the youths of the Senate in years, like my hon. friend and myself. I have another objection—and I hope my hon. friend from Amherst will excuse me for mentioning it—that he stated distinctly that in order to secure this appointment promises were made of increases amounting to \$100 in one case, and \$50 in another, to men who are now in the

service. If there were any such bargain, it was without my knowledge, and without any intimation from me that such an arrangement ought to be made, or even considered; but when the proposition to make Mr. Carleton housekeeper had been carried, then the proposition was made to increase the salary of Mr. Dunne, and also of Mr. Gilbert, the messenger in the reading room, and, if my recollection serves me right, there was not a single voice raised in opposition to either of these propositions. The voice of the committee was unanimous, so that it could not very well have been a bargain, unless the bargain had been made with those who proposed it. Possibly they took the ground that as Mr. Dunne had not received the promotion he should be compensated in some other way.

Hon. Mr. ALMON—Hear, hear.

Hon. Sir MACKENZIE BOWELL.—But I understood this proposition to increase Mr. Dunne's salary was a matter of last year's consideration. I know it was proposed to me last year. It was thought that he and one or two others should have an increase, to which personally I have not the slightest objection. Contrasts have been made with reference to Lord Salisbury—I will not for the moment place myself in the same category—and Sir Alexander Campbell. If I knew Sir Alexander Campbell's character, there was not a man in the Cabinet or in the Senate who, when he desired to accomplish anything in particular, took more energetic and emphatic steps to accomplish it. We find no fault with that. On the contrary, I believe it is the duty of every man who has a duty to perform to exert himself to the fullest extent possible, to achieve success, and I promise my hon. friend from Amherst, and more particularly the junior member for Halifax, that if a question of this kind comes up again while I have the honour of holding a seat in the Senate, whether as leader or a follower of the leader or independent member, when I wish to have anything done I will use all the influence that I can possibly exert legitimately and honestly to achieve success, and I will not be guided by modesty as I have in the past. I like to speak plainly in this matter; it is just as well to be killed for a sheep as for a lamb. What I have said I have said in the best spirit, and I have done what I

have done, believing it to be in the best interests of the Senate, and I am sure you will find in Carleton, if the report is approved of, just such a man as he has been described by the hon. member from Alma. He is quite capable, from intelligence, ability and education, to fill this position, and while he will do it courteously, he will exercise such a firm hand over the messengers, who have not done their duty, as to meet the approbation of the Senate and everyone connected with it.

HON. Mr. AIKINS—As a new member of this House, it might be somewhat out of place for me to occupy your attention for any length of time. I am not a member of the Contingent Accounts Committee, as you all know, and I have not been interviewed by any person except Mr. Dunne, whom I knew several years ago very favourably. I knew him to be an excellent employee of this chamber, and when I was spoken to by him, I said I should be very much pleased indeed to vote for him if the committee reported in his favour. I know nothing of Carleton, but I feel satisfied of this, that the committee, composed as it is of independent members of this House, have thought the matter over and canvassed it sufficiently to satisfy themselves that Mr. Carleton is the better man. I shall consequently vote for the report of the committee. I think I am quite safe in doing that. It has been the course that I usually pursued when formerly a member of this House, and a course which I think can be pursued with a great deal of confidence when a person has been present at the committee and heard all that transpired there.

Hon Mr. MACINNES (Burlington)—I do not intend to occupy the attention of the Senate for any length of time for the reason that the question has been so fully discussed already. In the first place, I shall allude to what has been stated with reference to politics in this case.

The hon. member from Calgary has insinuated that this opposition is from the Reform party. I should like to ask the hon. gentleman how he would class the hon. mover and the seconder of the motion? As to myself, I claim to be a life-long Conservative—a Tory if you like.

Hon. Mr. LOUGHEED—What I did say was this, that the element of politics had

entered very largely into the advocacy of Mr. Dunne's appointment, and when the vote would be taken it would be found that every Liberal would support the amendment. If the hon. gentleman will observe when the division is taken, he will find that the Liberals will vote solidly for the amendment.

Hon. Mr. MACINNES, (Burlington)—This House could not follow a sounder or better rule than appointment by seniority as long as it is accompanied by fitness. In the case before us, I cannot see how the Senate can do anything better than appoint John Dunne who has been a life-long and devoted servant in the Senate. He has proved his fitness for the position. As I understand it, the appointment belongs to the Senate and not to the committee. It is for the committee to recommend; it is for the Senate to make the appointment, and it appears to me that the proper thing for the Senate to do is to appoint John Dunne as the housekeeper, because he has shown himself by experience to be a fit and proper person for the position. Anything else, it appears to me, would be unfair and unjust. It is not fair to bring in outsiders and put them over the heads of servants of the Senate who are entitled to promotion. It does away with that incentive for the performance of duties which the reward for faithful service performed is sure to obtain. I shall support the amendment.

Hon. Mr. BOULTON—My sympathies have always been with Mr. John Dunne in this matter. I may say, in answer to some remarks made by a previous speaker, that neither Sir Mackenzie Bowell, Mr. Carleton nor Mr. Dunne has solicited my support on this question, though I had previously told the latter applicant it was my intention to support him. I, however, do recognize this, that the Premier of the country, when he wishes to provide for those public servants that he has been brought into personal contact with, is justified in striving to place them, while he has the opportunity, in a permanent position, and while, as I remarked before, I agree with all that has been said on behalf of Mr. Dunne and his service to the Senate, yet I cannot resist, the duty I feel imposed upon me of changing my intention to support Mr. Dunne, for I cannot by my vote be a party to defeat the Premier

of the country when he desires to take that step on behalf of a public servant with whom he has been associated so long, which appears to be the intention of some of those who have hitherto always supported him.

Hon. Mr. McCALLUM—By the vote I am going to give here, I shall not be guided by politics. I have no doubt at all in my own mind, from listening to the debate, that Mr. Dunne and Mr. Carleton are good honest servants of this country, but it strikes me, after the long service Mr. Carleton has rendered in another department of the Government, there should be room enough in this country to appoint him to some position without bringing him in here. I have no doubt he is as good a man as anyone, and therefore there should be plenty of other positions for him without bringing him here to take what little patronage the Senate controls out of our hands. I do not deny that the hon. gentleman has a perfect right to use his influence to get Mr. Carleton appointed. He says he has used his influence here before and will use it in the future. I do not object to that, but I say to the Prime Minister of this country in all kindness, let him find a place for this good and honest servant anywhere but in the Senate.

Hon. Mr. PERLEY—This question has elicited more debate and excited more consideration than any other subject that has been before the House this year, not excepting the Remedial Bill. I intend to vote for Mr. Dunne. I did not imagine for a moment that this was to be made a political question. I think party politics of that character should not enter into the Senate. I am a supporter of the Conservative party and I will support the Government on questions of some importance, but I think it is wrong for the Premier to use his influence, as head of the Government, in support of any candidate, because he knows that many will, out of sympathy for him, vote for his candidate. I have been asked by members of the government to vote for this man Carleton. If it were a question of politics, I would do so, but it is not. I have made a pledge to Mr. Dunne, and I have been asked by men in high positions to break that pledge, but I am not the man to do it. I am here to vote for Mr. Dunne,

because he is a good and efficient man who has discharged his duties faithfully. I do not know the other man, and I do not believe half the members of this Senate know him. I think it is wrong to undertake to discuss this question from a political point of view. We are here to vote as we think right, and to appoint a fit and proper man to the position of housekeeper of the Senate.

The Senate divided on the amendment which was rejected by the following vote :—

CONTENTS :

Hon. Messrs.

Almon,	McDonald (C.B.),
Arsenault,	McKindsey,
Boucherville, de,	Merner,
Casgrain,	Miller,
Cochrane,	O'Donohoe,
Dever,	Pelletier,
Dickey,	Perley,
Landry,	Power,
Macdonald (P.E.I.),	Primrose,
Macdonald (Victoria),	Reesor,
MacInnes (Burlington),	Scott,
Masson,	Thibaudeau,
McCallum,	Vidal,
McClelan,	Wark.—28.

NON-CONTENTS.

Hon. Messrs.

Aikins,	McKay,
Armand,	McMillan,
Baird,	O'Brien,
Baker,	Ogilvie,
Bernier,	Owens,
Bolduc,	Prowse,
Boulton,	Read (Quinté),
Bowell (Sir Mackenzie),	Reid (Cariboo),
Clemow,	Robitaille,
Desjardins,	Smith (Sir Frank),
Dobson,	Sullivan,
Ferguson (P.E.I.),	Sutherland,
Kirchhoffer,	Villeneuve,
Lougheed,	Wood.—28.

Hon. Mr. McCALLUM—The honourable member from Victoria has not voted.

Hon. Mr. McINNES (B.C.)—I have paired with the Speaker.

Hon. Mr. MILLER—The House being equally divided, the motion passes in the negative and now the question should be on the main motion.

The House divided on the main motion, the vote being as follows :

CONTENTS :

Hon. Messrs.

Aikins,	McKay,
Armand,	McMillan,
Baird,	O'Brien,
Baker,	Ogilvie,
Bernier,	Owens,
Bolduc,	Prowse,
Boulton,	Read (Quinté),
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Macdonald (Victoria),	Reesor,
MacInnes (Burlington),	Scott,
Masson,	Thibaudeau,
McCallum,	Vidal,
McClelan,	Wark.—28.

Hon. Mr. CLEMON—The honourable member for De Lanaudière has not voted.

Hon. Mr. BELLEROSE—I vote for the report.

Hon. Mr. McCALLUM—The honourable member for Victoria has not voted.

Hon. Mr. McINNES, (B.C.)—As I stated before, I am paired with the Speaker. I was absent for part of the afternoon and paired with the Speaker. But if the honourable gentleman wishes to know how my sympathies go, I may say that I should have voted for Mr. Dunne.

Hon. Mr. MILLER—The pair does not hold when both members are in the House.

The motion was declared carried.

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, February 27th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILL INTRODUCED.

BILL (G) "An Act respecting the Rocky Mountain Railway and Coal Company." (Mr. Loughheed).

THE DOMINION STEAMER
"QUADRA."

INQUIRY.

Hon. Mr. McINNES (B.C.) rose to

Call the attention of the Senate to the fact that the Dominion steamer "Quadra," up to the present time, has been in commission only about eight months in each year, and ask if it is the intention of the government to keep her in future continuously in commission with a view to promote the fishing and shipping interests of British Columbia?

He said:—Up to 1891 the only steamer that the Dominion Government had in their service in the province of British Columbia was the old "Sir James Douglas," a wooden steamer of about two hundred gross tons. She was found to be utterly inadequate to the work that was required in connection with keeping the different lighthouses, from one end of the province to the other, supplied with the necessary materials, and also in keeping buoys in the Fraser River, in the Skeena River, and in the different harbours. The Dominion Government then, very wisely I think, determined to get a suitable steamer, and in the fall of 1890 they advertised for tenders for a certain description of steamer. The tender of Fleming & Ferguson, of Paisley, on the Clyde, was accepted and in the fall of the following year, 1891, this steamer "Quadra" was completed and handed over on the 15th October, 1891, to the representatives of the government in Glasgow. She left on her long journey from the Clyde *via* Cape Horn, and arrived in Victoria on the 5th January, 1892, after a journey of 14,714 miles. To show the character of the steamer I may mention that the average running rate was 9 knots an hour, and she only consumed 9 tons of fuel per day. Up to the present time she has been almost exclusively employed in looking after buoys and lighthouses, the same as the old steamer,

"Sir James Douglas;" but in addition to this service I claim that instead of being only eight months in commission, as she has been in the past, she ought to be continuously in commission the whole year for various reasons. The first reason that I would give is this: that even during the eight months that she is in commission, I think that I am within the mark when I say that she is not more than five-sixths of the time actively engaged in the service. I claim that she ought to be in commission the whole year, in order to perfect the surveys of the different harbours on the coast line of our province. I have not the accurate figures here, but I believe our coast line, including our islands great and small, will amount to between 7,000 and 8,000 miles; and, while it is really marvellous that the admiralty chart is as perfect as it is, there is no question that there are a great many ledges and rocks which are hidden sufficiently to prevent detection, yet a steamer or a sailing vessel drawing 10, or 15, or 20 feet, no doubt would come to grief by running on them. As evidence of that, I will only call the attention of this House to the fact that on the 14th April, 1892, this very Dominion Government steamer "Quadra" ran upon an unknown rock in the Houston Stewart channel in the Queen Charlotte Islands. On the Admiralty chart a great depth of water was shown to exist there, and it is true that a very short distance from the place, 200 or 300 feet I believe, there was any quantity of water. She ran on that rock and sank, and it was owing to the fact that there was unusually calm weather and that other steamers came to her rescue in a short time that she was saved. As it was, it cost this country over \$3,500 to raise her and make the necessary repairs. I just mention that, hon. gentlemen, to justify my contention that where there is such an enormous coast line not only of the mainland, but also of our islands, the vessel would be well engaged and profitably employed if she was perfecting those surveys, and that could be done at a comparatively small cost to this country. There is another purpose to which I claim she could be put, and a very desirable one—that is, in locating new fishing grounds or fishing banks off the West Coast of Vancouver Island and off Queen Charlotte Island. There is scarcely a year in which new fishing banks are not discovered, and I think it would be in the interests not

only of British Columbia but of the Dominion generally if she were employed a certain portion of her time in making further surveys and discoveries in the direction that I have just indicated. Another purpose to which I think she could be profitably put is preventing United States fishermen poaching in our waters, as they do at the present time with perfect impunity. I see no reason why we should allow United States fishermen to fish in our waters with the same freedom as our own fishermen. In order to show what this steamer is, and that she is perfectly seaworthy and would be well suited to make those necessary surveys and discoveries with reference to new fishing grounds on the West Coast of Vancouver Island and Queen Charlotte Island, I may mention that she is 174 feet in length and 31 feet wide, with a depth of hold of some 14 or 15 feet, a gross tonnage of 573 tons and a registered tonnage of 265 tons and cost \$73,701. The hon. premier had quite a long, and I believe a pleasant, trip on her this last summer; and if he encountered anything like rough or stormy weather, I think he will agree with me that there is one defect in connection with the steamer; and that is that she has no flange keels. She is considerable of a roller, but at the very moderate cost of some four or five thousand dollars that defect could be rectified. She is not a bolter, but she is a roller. Then I may be asked what it will cost to have her in continuous commission the whole year. I will give hon. gentlemen evidence, that they cannot for a moment dispute. I have before me the total cost for the last two years, or at least an average for the last two years she was in commission of 8½ months, in 1893-4 the total cost in connection with the steamer was \$18,517; in 1894-5 the total cost was \$18,204; or an average of \$18,360. That included everything, I believe even the maintenance and repairs. Now, to show the difference between what she cost while in commission and while not in commission, I will just give a list of the officers and men and show what the monthly pay roll is. The commander receives \$100 a month while the steamer is in commission, the first engineer \$100 a month, the first mate \$60, the second engineer \$90, the second mate \$50, steward \$52, seven able seamen at \$40 each, \$280; four firemen at \$50 each, \$200; two coal trimmers at \$40 each, \$80; one cook \$40, second cook \$20,

a total of \$1,072 a month. Now, I will give hon. gentlemen what she costs when she is not in commission. The commander receives a similar salary, \$100 a month, first engineer the same, \$100; the mate \$60, the same as he gets when she is in commission, the assistant engineer \$90, the same as when in commission, the second mate the same as when in commission, two able seamen \$40 each making \$80, here the number of seamen is reduced from seven to two, and two firemen at \$65 each, making \$130 or a total of \$610 when she is not in commission, as against \$1,072 when she is in commission, or a difference of only \$462.

Hon. Mr. MACDONALD (B. C.)—What did the fuel come to?

Hon. Mr. McINNES (B.C.)—Well I have not made that out, but I take it for granted, and I think my proposition is a perfectly fair one, that it cost \$18,000, according to the returns, for eight months, and if you add one-third more it only means \$6,000, making a grand total of \$24,000, if she is in commission the whole year round, including all the expenses of running that steamer—only \$6,000 more than at the present time. And I think that hon. gentlemen will agree with me that \$6,000 could not be better expended than for the purposes I have indicated, perfecting the surveys of our coasts, making discoveries as to new fishing grounds, protecting our fishing grounds from United States poachers and, I might also add, collecting license fees from the different fishing canneries and establishments up and down the coast. This would not in the slightest degree interfere with the duties that she now performs in connection with taking supplies to the different lighthouses and keeping the buoys in the different harbours and rivers in perfect order. I hope that the government will consider this suggestion favourably. It is a reasonable request and I can assure this House will, if acceded to, confer a very great benefit on the province that I have the honour to represent.

Hon. Sir MACKENZIE BOWELL—My answer is very short to the remarks made by the hon. gentleman. The statement he has made in reference to the length of time in which that vessel is in commission, is quite correct, and I may also inform him and the

Senate, that the representatives from that province, the Hon. Mr. Prior and Mr. Earle, have already brought this question prominently before the department and also before the government, and the matter is now receiving the best consideration of the Department of Marine and Fisheries, with a view, I may add, to carry out the suggestions which have been made by the hon. members.

Hon. Mr. McINNES (B.C.)—Just say at once that it will be done.

Hon. Sir MACKENZIE BOWELL—I am not in the habit of making statements of that kind until I am positive that I am correct, and as soon as we arrive at that conclusion, I will make that statement as clearly and as positively as I can, in order to convince the hon. gentleman that we mean to do it. I may add that the growth of the trade of that province, and the necessity of protecting the fisheries to which he has called the attention of the House, and which are becoming of very great importance, not only to British Columbia but to the whole Dominion, and also the protection of the customs revenue along the coast, will render it, in the very near future, necessary to add an additional steamer to the one already upon that coast. The hon. gentleman might also have stated that even this last fall, the steamer "Quadra" ran upon a rock unknown in the past.

Hon. Mr. McINNES (B.C.)—No, that was a well-known reef. It is Fulford reef. It is only 10 or 15 miles from Victoria.

Hon. Sir MACKENZIE BOWELL—I was under the impression that it was one of the sunken rocks that had not been discovered. However, I may state for the information of the House, that Captain Waldron is not only a very careful seaman, but that he stands high in his position, and that he has been occupying a large portion of his time on his semi-annual visit to the different lighthouses, and when he is at those further to the north and north-west, looking after the fishing interests, in visiting the little inlets along the Georgian channel—that is between the mainland and the Island—and has in this way discovered a number of sunken rocks that were not upon the chart and are very dangerous to navigation. The representations made to the government are of a similar character to

those which the hon. gentleman has brought before the House, and I can assure him that no time will be lost in complying, as far as practicable, with the requests that have been made. It is true, as the hon. gentlemen says, that I had a very extended tour with the Minister of Interior and Superintendent of Indian Affairs last year, and he truthfully said that it was a very pleasant trip and to me as a public man a very profitable trip. It brought under my notice the workings particularly of the Indian branch of the service, and I have been more convinced than I ever was before of the propriety of the course which has been adopted in the establishment of industrial schools, in which Indian children are educated in the arts and I might almost say some of the sciences of the present day, and taught the Christian religion and made very much better citizens. I only wish that every senator and every member of the House of Commons could take the same trip that I did, visit and inspect, as I did, these different schools and different industries of that country. I can assure the hon. gentleman that his representations will receive the best consideration of the government with a view, as I have already stated, of not only extending the time in which that vessel shall be in commission, but of putting a much faster and more valuable vessel on the route. The captain of the "Quadra" has been instructed to look after the interests of the fisheries, and I know that the captain tried to impress on me the absolute necessity of having a small cannon by which he could frighten the poachers from our coasts.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. McINNES (B.C.)—I should like to remind the First Minister that I drew his attention, four or five weeks ago, to a return that I called for and an Order of the House that was made on the 13th of July last but which has not been brought down. He took a note of it at the time. It was in connection with the correspondence that took place between the City Council and Board of Trade and representatives from Victoria, and the Postmaster General, with respect to the post office employes and letter carriers of that city.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is quite right; I made a

note of it at the time and wrote to the Postmaster General and received a reply from the deputy that as most of the correspondence was by telegraph, he had some difficulty in complying with the Order of the House. I admit that is no excuse for the delay. He has probably overlooked it, but I will call his attention to the subject again.

INDEPENDENT ORDER OF FORESTERS BILL.

SECOND READING.

Hon. Mr. McKINDSEY, in the absence of the Hon. Mr. Clemow, moved the second reading of Bill (29) "An Act to amend the Act incorporating the Supreme Court of the Independent Order of Foresters."

Hon. Mr. McMILLAN—There are a few points in this bill to which I wish to direct the attention of the House. I must congratulate the order upon the progress that they have made in complying with the Insurance Act since they presented their Bill to the House last year. It goes to prove conclusively the advantage that the country possesses in having a House that is perfectly independent and that will deal with all bills that come before it on their merits. I have before me a copy of the bill that they presented to this House last year and which was refused by the Banking Committee. The object of the bill last year was simply to give the order power to grant insurance to their members to the extent of \$5,000, instead of \$3,000, to which their power had been limited before. There was another clause in their bill last year providing that

2. No person who is or has been or hereafter becomes a member of the order shall be liable for any assessments, dues or fines to the order, or for any debts or liabilities of the order; but all payments of assessments, dues and fines shall be voluntary on the part of the member.

They have made an improvement in that respect for they are now complying with the requirements of the Insurance Act. However, to my mind there is a little contradiction. All the members who have joined that order already and are supposed to be insured in that Order are not, as I understand it, liable to assessment. How are they going to reconcile that with the clause in the present bill which provides:—

6. Every certificate and policy issued by the society shall contain a promise to pay the whole

amount therein mentioned out of the mortuary funds of the society, and out of any moneys realized from assessments to be made for that purpose; and the society shall be bound forthwith and from time to time to make assessments to an amount adequate with its other available funds to pay all obligations created under every such certificate or policy heretofore issued or hereafter to be issued without deduction or abatement.

7. Every application, policy and certificate issued or used by the society in Canada shall have printed thereon in a conspicuous place, in ink of a colour different from that of the ink used in the instrument, and in good sized type, the following words:—"This society is not required by law to maintain the reserve which is required of ordinary life insurance companies."

8. The words "assessment system" shall be printed in large type at the head of every policy and every application for the same, and also in every circular and advertisement issued or used in Canada in connection with the business of the society.

That is an improvement. Because, to my mind, under their old charter, they were not liable to assessment, and the result would be eventually that the company must come to grief for various reasons. One reason is that they are insuring for less than 40 per cent of the actual cost that old-line companies are charging for similar amounts, and if the calculations of old-line companies are correct (and we must conclude that they are correct, because they are based on the experience and statistics that have been obtained by actuaries and experts), this company doing business for that much less than the standard companies of the country are charging, must necessarily come to grief. Of course, under the charter that they are now seeking in this House, they are empowered to levy an assessment upon the policy holders; but how are they going to levy an assessment on those who are insured already? One of the claims that they publish to the world why this company should receive applicants in preference to the old line companies, is because the order has already over a million dollars of surplus to back up its promises. That may be correct. The second is because there are no assessments, and every Forester knows exactly how much he has to pay each month. The fourth claim is "because you are not worried as to the number of assessments you are to meet from month to month. Members pay each month a stipulated payment, according to age." These payments may be made quarterly, semi-annually or annually, in advance, in accordance with the wish of the member

himself. How they can reconcile that with the clause in the present charter is something I wish to get information about. If they can make this retroactive so as to save those who are already insured, then, I think, it would be a decided improvement. I am not raising this opposition from any factious motive. I simply want to do it for the protection of those who are insured.

Hon. Mr. VIDAL—These details could be better looked into in the committee than in the House?

Hon. Mr. McMILLAN—Yes, but I wish to bring it before the House so that we can get the information now. There is another matter; they have actually been doing business in England and granting policies for four or five thousand dollars without a charter and without the authority of the Parliament of Canada, acting under a resolution passed by the Grand Order in Chicago, and they give that now as the explanation why they made this mistake. If that is the case I do not think that this House will object to granting them the power now. I cannot see that there is a very great difference between giving them the privilege of insuring to the extent of \$3,000 or \$5,000 as long as the Company is perfectly solvent and so long as they comply with the Insurance laws of this country, which is the only guarantee that policy holders have for the contract they make with the Society. Now in proof of that I have the statement made in the report of the Supreme physician.

Chambers of the Supreme Court.
London England, August 1895.

To the Supreme Chief Ranger Officers and Members of the Supreme Court :

Brethren,—I beg herewith to submit the report of the Medical Board for the 18 months ending December 31st, 1894 being the end of the official year.

The Board has received during the 18 months for its consideration 35,106, medical examination papers classified as follows :—

There	was	139	applicants	for	\$5000.—57	accepted
"	"	34	"	"	4000.—13	"
"	"	1351	"	"	3000.—1518	"
"	"	5651	"	"	2000.—4960	"
"	"	25960	"	"	1000.—23694	"
"	"	1471	"	"	500.—1328	"

Now I wish to draw the attention of the House to this fact, that they were actually granting policies for the sums of \$4,000. and \$5,000. in England without a charter.

Hon. Mr. SULLIVAN—Perhaps they complied with the law there.

Hon. Mr. McMILLAN—There may be some explanation of it.

Hon. Mr. MACDONALD (B. C.)—Were all those people members of the order of Foresters?

Hon. Mr. McMILLAN—Oh, yes, no other person can insure there except members of the Order. Now I think it our duty to protect policy holders in this and in old-line companies that are doing business on the level premium principle. Old-line companies are obliged to come here and make application, comply with the law in every respect, make the proper deposit and get their license annually, and are subject to the inspection of the Superintendent of Insurances and all these are guarantees. I think every company, I care not whether it is a society of this kind or not, ought to be under the inspection of the government. All fraternal societies of that kind, I care not who they are, are dangerous to my mind, unless Parliament steps in as a protector of those who are policy-holders. I cannot consider them safe. They are sure to come to grief because they are not basing their calculations upon the actual and necessary money that is required to protect the policy-holder and to have a reserve fund for the purpose of paying death claims. Of course some of the policy-holders may get advantages if they die soon enough, but if they live to be very old men they will not. I am afraid there are a great many of those associations, who are doing a large business interfering with good, sound, solvent old institutions doing business in this country, to the disadvantage I am afraid of the policy-holders if they are allowed to go on without the protection of Parliament.

Hon. Mr. CLEMOW—You will notice that this bill is changed from the one last session and it meets all the objections raised by the last speaker. They do come under government inspection now; they are required to make the deposit and in every way are compelled to conform with all the terms which have been imposed upon assessment companies in the past. Therefore, that objection is completely removed. The Inspector of Insurance and the Minister of Finance have studied this question thor-

oughly and they have given their assent to the passage of the bill, remodelled as it is at present. This society is composed of a large number of people throughout the Dominion and in the United States and in England. Now, a point has been raised respecting the issue of policies in England without this legislation. I may tell the hon. gentleman that that has been all provided for under the laws of England. They must become subject to the laws of England before they can get a policy in that country. Now, they ask for similar power from the Dominion and the same with respect to the United States. By the provisions in this Act the policy-holders are protected in every respect as far as they possibly can be. The parties interested in this legislation are men above suspicion. The order numbers now some 90,000 of the most influential people in the country, and they are bound together for the mutual protection of their families, and they charge much reduced rates as compared with the rates of the assessment companies. It is true the assessment companies in existence for years have collected large fees and paid large dividends and do large business, but I fail to see that they are in a better position, as far as the policy-holder is concerned, than this Order of Foresters, who are combined among themselves to benefit each other. No one can receive the benefit of this insurance unless he becomes a member of the order, and we all know they are very particular in admitting candidates and the order is very beneficial in its effect. I look upon it as very desirable that this bill should now receive the assent of parliament as it combines all necessary safeguards for the policy-holders and everybody connected with the order in any way whatever. It was urged last year that the expenses of management were too large, but the expenses were not altogether chargeable to the insurance company. A large portion of that was fees obtained from these parties, some 90,000 members and was used for a fraternal purpose, and it was not right to say that all those expenses were chargeable to the insurance fund. They have taken every precaution, I believe, under the supervision of a very able man, Dr. Oronhyatekha, who has given it special attention, and I believe he has the confidence of the whole order at the present time. He is universally esteemed by the whole fraternity. There has been no objection to this

bill elsewhere. In the Banking Committee of the lower House it was carefully looked into with the Minister of Finance and the Inspector of Insurance present, and they have all concurred in the desirability of granting this legislation. The measure will be referred to a committee of course and can go into details there, and every feature of the bill will be satisfactorily explained; but in the meantime, I think it unnecessary to take up the time of the House. We should defer discussing details till it comes before the Banking and Commerce Committee, and then any person who feels interested in the matter can make any inquiry he pleases. We invite the closet scrutiny. We ask any man who has anything to say for or against it to come forward. The order has now a large reserve fund, over a million and a half in money, they have met all the obligations in the past and do not owe a single dollar to any man, and if they have conducted their business in that way in the past, I do not think there is any probability of misfortune overtaking them in the future. Every means had been adopted to make this bill safe, to secure the payment of any loss which may be suffered by those connected with the association.

Hon. Mr. SCOTT—Has the bill been approved of by the officers in charge of insurance?

Hon. Mr. CLEMOW—Yes. They have gone through every detail, and a great many changes have been made, and I believe that when the bill goes before the committee there will be no dissentient voice. Every clause can be explained, I believe, to the satisfaction of my hon. friend from Glengarry. It protects the policy holders to the greatest extent, and the best experts have been at work upon it; and, as the rates are much lower than those that the assessment companies have been charging, they are able to take in men who could never get into the assessment companies, I think it is better that it should be extended to parties who were not able to get insurance before at any reasonable rate.

Hon. Sir MACKENZIE BOWELL—I might state that this bill has been considered very thoroughly in the committee on Banking and Commerce in the House of Commons, at which Mr. Fitzgerald, the

Superintendent of Insurance, was present, and it has been materially altered in the interests of the investor since it was introduced into the House of Commons, and certainly it is a different bill altogether from that which was presented to parliament last session. In the fourth section you will find provision is made for a deposit with the government, in order to protect the insurers, and if you turn to section 7 you will find that authority is given to the Finance Department, through the treasury board, to demand a still larger amount of deposit, in proportion to the increase of their insurance, and also you will find in subsection 5 of section 4, a provision is made for the inspection to which my hon. friend refers. So that the Finance Department has taken every possible means to protect the insurers in companies of this kind. Were I to express my individual and private opinions, I should be very much in doubt as to the stability of any of this class of insurance companies, unless the insurers were protected to the fullest possible extent. However, this has been a very successful society, and it has been managed very carefully in the past and precaution has been taken under the circumstances to protect the policy-holders.

The motion was agreed to.

SECOND READINGS.

Bill (30) "An Act respecting the Guelph Junction Railway Company."—(Mr. MacInnes, Burlington).

Bill (40) "An Act respecting the South Ontario Pacific Railway Company."—(Mr. MacInnes, Burlington).

Bill (42) "An Act respecting the Canada and Michigan Bridge and Tunnel Company."—(Mr. MacInnes, Burlington).

Bill (41) "An Act respecting the Lake Erie and Detroit River Railway Company."—(Mr. MacInnes, Burlington).

Bill (39) "An Act respecting the St. Lawrence and Adirondack Railway Company."—(Mr. Baker).

Bill (37) "An Act to confirm a certain lease and agreement between the Grand Trunk Railway Company of Canada and the St. Lawrence and Adirondack Railway Company."—(Mr. Read, Quin  ).

Bill (26) "An Act respecting the Nelson and Fort Sheppard Railway Company."—(Mr. Reid, Cariboo).

Bill (47) "An Act respecting the Brandon and South-western Railway Company."—(Mr. Perley).

Bill (27) "An Act respecting the Lindsay, Bobcaygeon and Pontypool Railway Company."—(Mr. Dobson).

Bill (25) "An Act respecting the St. Lawrence and Ottawa Railway Company."—(Mr. MacInnes, Burlington).

Bill (34) "An Act to consolidate and amend certain Acts respecting the Nipissing and James Bay Railway Company."—(Mr. MacInnes, Burlington).

The Senate then adjourned.

THE SENATE.

Ottawa, Friday, February 28th, 1896.

THE SPEAKER took the Chair at three o'clock.

Prayers and routine proceedings.

RAILWAY ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported bill (A) "An Act to amend the Railway Act," with an amendment. He said:—I may explain that the amendment is made in the last clause of the bill which required that certain provisions should apply to all such cases. Very extensive consideration was given to it, and it was suggested that it should be made only to apply to cases under this Act, and an amendment was made to that effect by striking out the word "such" and introducing "in cases under this Act." It is a mere verbal amendment, and I am justified in asking the House to adopt it. I therefore move that the House concur in the amendment.

The motion was agreed to.

Hon. Mr. McCALLUM moved the third reading of the bill. He said:—There were

some remarks made at the second reading of the bill which it may be proper for me to refer to here. The matter was discussed pretty well before the committee this morning. At the same time, there were some remarks that I did not have an opportunity of replying to before. The hon. gentleman from Barrie—who I am sorry to see is not in his place—made some remarks which I think he was not called upon to make. He said that this was a revolutionary bill, a bad bill root and branch. He said it almost frightened him. Well, I do not see anything in the bill to frighten anybody. He said it was bad root and branch but he did not in his speech show that it was very revolutionary or very bad. What I objected particularly to in the remarks of the hon. gentleman from Barrie was when he put the question across the House to the senior member from Halifax. A statement was made with reference to the late Sir John Abbott, who was a great man in this country, who was beloved by all, who was a leading railway and commercial lawyer in this country, a gentleman who was Leader of this Senate and who was Leader of the Government. When the hon. gentleman from Barrie asked across the House—

Hon. Mr. POWER—If the hon. gentleman will excuse me, I think, looking at the fact that the hon. gentleman from Barrie is prevented from being here by a very lamentable circumstance, it would perhaps be as wise not to say anything further with respect to that matter. As to what the hon. gentleman from Barrie said about me, I do not mind it.

Hon. Mr. MILLER—Is there anything Mr. Speaker before the House? I understood the motion for the adoption of the amendment was carried.

Hon. Mr. McCALLUM—This is the third reading of the bill.

Hon. Mr. MILLER—You have moved the third reading for when?

Hon. Mr. McCALLUM—I am at it now.

Hon. Sir MACKENZIE BOWELL—There is a still further objection to which I thought my hon. friend from Halifax was going to call attention. That is, we have no right under the rules to refer to former

debates that have taken place, and if my hon. friend will think for a moment, he might have put off the third reading for a day or two and probably the member for Barrie might be here.

Hon. Mr. McCALLUM—I am in the hands of the House.

Hon. Mr. MILLER—I think you could hardly extend the rule to a debate on the same bill. The debate on the same bill would be considered one debate.

Hon. Mr. McCALLUM—I am only going to say a few words about it. And I make my remarks to vindicate the character of Sir John Abbott and not for myself. I care not for the living, but when an hon. member characterizes the bill as being bad and vicious, root and branch, and puts the question across the House, did Sir John Abbott draw that bill to carry out the views of the hon. member for Monck, I cannot remain silent. Just fancy for a moment a man of Sir John Abbott's character and standing in this country acting as scribe for me to draw up a vicious and bad bill? I have nothing further to say on that point. I do not intend to make any extended remarks on the bill, Sir John Abbott was a member of the committee to which the original measure was referred, and if hon. gentlemen will read the Debates of 1888 you can see what he said about this question. My hon. friend from Ottawa said the other day that he had an experience of 25 or 30 years before the Railway Committee of the Privy Council of this country, and he did not know of one case of a grievance that came before that tribunal. Was he looking for one or did he want to see one? I told him that I thought I could show him one case. It is not my duty and it has not been my practice to go through this country and find out where the railway companies have done an injustice to any one. That has not been my duty, nor do I blame the railway companies. I blame the law that allows such a state of things to exist. I blame the government that allows the people of this country to be treated as they are. What did the hon. gentleman from Barrie say? He said the public have the privilege of coming here, 2,000 miles, if they choose to do it, and appearing before the Railway Committee of the Privy Coun-

cil. He said: "They have got the great and glorious privilege of being permitted to come here in their homespun clothes and need not wear a wig or gown." However, I was going to deal with what the hon. gentleman from Ottawa said. He has challenged me to show a case of hardship. I can show hundreds of them, but there is one that I will deal with now. Here is the correspondence about a certain culvert in the township of Wainfleet:—

MONTREAL, January 3rd, 1894.

MR. JOHN HENDERSON,
Clerk, Township of Wainfleet,
Marshville, Ontario.

DEAR SIR,—In reply to your letter of 21st November last to Mr. Savage, I find that you have dug your ditch some 18 inches lower than the bottom of our culvert, and to adapt the latter to meet your requirements a new structure will be necessary; it should be built of stone.

We shall not, however, expect you to bear the extra cost of such a structure in stone, if such is used, instead of wood but we are prepared to undertake the work of deepening the culvert and so maintaining it at the proper season by the township paying us the sum of three hundred dollars.

Your truly,
(sgd.) E. P. HANNAFORD,
Chief Engineer.

Hon. JOHN HAGGART,
Minister of Railways and Canals,
Ottawa.

SIR,—I am directed by the Municipal Council of the township of Wainfleet, in the county of Welland, to call your attention to the following facts, viz.:

Before the construction of the Buffalo and Goderich division of the Grand Trunk Railway, which division was in its inception known as the Buffalo and Brantford Railway, a natural water-course, now converted into and known as the Eagle Marsh Ditch, existed, which was and is the natural means of drainage for a large area of land in this township. The water-course or ditch was crossed by the Buffalo and Brantford Railway Company, who constructed a culvert beneath their line of railway for the passage of water in and along said water-course.

Owing to the settlement and opening up, since the construction of said railway, of the section of country drained by said water-course, and the clearing and cultivation of such section, greater facilities of drainage were found necessary for such purpose.

The Municipal Council of the township of Wainfleet, under the provisions of the Municipal Act of Ontario, caused said drain, in the year 1894, to be widened and deepened, at the same time notifying said Railway Company that the culvert would have to be enlarged to meet the requirements of the ditch as so improved. The Railway Company refuse to enlarge said culvert unless the municipality will contribute \$300 towards the cost thereof, the whole cost of which is estimated by said company to be \$600.

The culvert proposed by the company is of stone, while the existing culvert, which except as to size sufficiently answers its intended purpose, is of wood.

The council of this municipality feels that the Grand Trunk Railway Company should not be allowed to obstruct the natural means of drainage to agricultural lands in this township and put the township and its ratepayers to an expense which, but for the existence of the railway, they would not be called upon to bear. They respectfully submit these facts for your consideration and would request you to take such action in the matter as may compel the Grand Trunk Railway Company to enlarge the said culvert at their own expense.

I have the honour to remain your humble servant,

JOHN HENDERSON,

Clerk, Township of Wainfleet.

Dated JANUARY 29th, 1895.

Certified a true copy.

FEBRUARY 20th, 1896.

JOHN HENDERSON,
Clerk,

OFFICE OF THE RAILWAY COMMITTEE OF THE PRIVY
COUNCIL, OTTAWA, February 2nd, 1895.

SIR,—I am instructed to acknowledge the receipt of your letter of the 29th January drawing attention to a dispute which has arisen between the Municipal Council of the township of Wainfleet and the Grand Trunk Railway Company as to paying of the cost of widening a certain drain passing under the track of the railway, and requesting that action may be taken therein. I am to inform you that the question will come before the Railway Committee of the Privy Council at its next meeting, of the date of which you will be duly notified in order that the township may arrange to have a representative present. In the meantime you should advise the Grand Trunk Railway Company of your proceedings, and furnish this office with a plan and profile, in triplicate, of the drain and the railway at this point, together with any other plan that may be required to elucidate the matter.

I am, sir,

Your obedient servant,

C. SCHREIBER,

Secy. Railway Committee, P. C.

OFFICE OF THE RAILWAY COMMITTEE OF THE PRIVY
COUNCIL, OTTAWA, March 8th, 1895.

SIR,—I am instructed to acknowledge the receipt of your letter of the 6th instant with reference to the enlargement of a culvert carrying a certain watercourse under the track of the Grand Trunk Railway Company, in the township of Wainfleet, and to inform you that an engineer of the Department of Railways and Canals has been instructed to visit the locality and report on the subject for the information of the committee. Yourself and the Grand Trunk Railway Company will be notified of the date of his visit.

I am, sir,

Your obedient servant,

C. SCHREIBER,

Secy. Railway Committee, P. C.

OFFICE OF THE RAILWAY COMMITTEE OF THE PRIVY COUNCIL, OTTAWA, April 24th, 1895.

SIR,—With reference to the application of the township of Wainfleet for an order to issue, compelling the Grand Trunk Railway Company to enlarge at their own cost, a certain culvert passing under their track in that township, I am directed to inform you that your communications of the 29th January, 6th March, and 8th April, together with the report of the Government Engineer on the subject were laid before the Railway Committee of the Privy Council, at its meeting held on the 10th inst., of which meeting notice was sent you on the 3rd inst., but, in the absence of any representative of the township of Wainfleet, the committee did not deem it advisable to proceed with the case, and it was accordingly discharged.

The committee, I am to say, will probably sit again in a few weeks time, and if the township desire the matter to be dealt with then, another application should be put in without delay, and arrangements should be made for some one to be here to support the case of the township before the committee, in presence of counsel for the Railway Company.

I am, sir,

Your obedient servant,

C. SCHREIBER,

Secy. Railway Committee, P.C.

(Telegram)

OTTAWA, June 20th, 1895.

To F. E. MISNER,

Reeve, Township of Wainfleet,
Marshville, Ontario.

Application of the township of Wainfleet *re* Eagle Marsh culvert will come up at meeting of Railway Committee P. C. in their office Department of Railways, 11 a.m. Saturday 22nd instant.

(sgd.) C. SCHREIBER.

I attended that meeting of the committee and the Reeve of the township was here also. There were a good many case before the committee that day, and we did not reach the case of the township of Wainfleet. I saw the authorities of the Grand Trunk Railway there and they said to me that if the township would drop the case and pay the company \$100, they (the Grand Trunk Railway Company) would put in a stone culvert to the satisfaction of the township. I said that I did not know what the township would do, but that I would advise them that they had better accept the offer than come back here again, because it would cost them at least \$100. to appear before the Railway Committee of the Privy Council a second time. I handed the case over to Mr. Boyd, the member for Monck in the Commons, and told him and the reeve what the arrangement with the railway authorities was, and told him to write to the solicitor of the Grand Trunk Railway

Company. I have not got a copy of that letter but here is the reply from the Railway company :—

(Telegram.)

BELLEVILLE, ONT., June 25th, 1895.

To ARTHUR BOYLE,

House of Commons.

Your letter of the 22nd received. All right.

JOHN BELL.

That is agreeing to the arrangement made with me, that they were to put in a stone culvert towards the construction of which the township was to contribute \$100.

In the matter of a communication, dated the 20th January, 1895, from the Municipal Council of the township of Wainfleet, in the County of Welland, Ontario, transmitted to the Railway Council, drawing attention to the inadequacy of a certain culvert to carry the drainage of the Eagle Marsh Ditch in the said township under the Grand Trunk Railway owing to the insufficient depth (see plans under file No. 5888) and praying that such action may be taken in the premises as may compel the Grand Trunk Railway Company to enlarge the said culvert at their own expense and remove the present obstruction to the flow of water thereat :—

The committee having caused a report on the subject to be made by a Government Engineer and having duly considered the same, and also representations, verbal and written, on behalf of the said Municipal Council and the Grand Trunk Railway Company.

I do not know where they got the verbal communication. There was nobody here on behalf of the municipality or the township, because they settled the matter before that. They considered it settled on the basis of this letter sent to the solicitor of the Grand Trunk Railway Company, by Mr. Boyle, member for Monck, in the House of Commons :

“Is of the opinion that the said culvert should be replaced by a culvert of masonry, with the provision for the free passage of the water of the said ditch through the same—the municipality of the township of Wainfleet to contribute two hundred dollars toward the cost of the said new culvert providing that expenditure thereon is not less than \$600—if the cost of the said new culvert is less than that sum the said municipality to contribute one-third of the cost thereof”—

That is all very well so far. In the first place, the township of Wainfleet had an arrangement with the Grand Trunk by which they were to do this work and build it with stone for \$100. That was the understanding. I am a living witness to that arrangement, and I would swear to it any

time. The following is the account sent to the township:—

OFFICE OF THE GRAND TRUNK RAILWAY CO.,
MONTREAL, 19th October, 1895.

The township of Wainfleet,
Mr. JOHN HENDERSON,
Township Clerk,
Marshville, Ont.
To the Grand Trunk Railway Co., Dr.

To deepening Eagle Marsh Culvert across
the railway per ruling of the Railway
Committee of the Privy Council and the
amount decided by said Railway Com-
mittee to be paid to the Grand Trunk
Railway Company \$200 00

This looks very fair on the face of it. Did they put in this culvert of stone? No, it is not put in yet. It is not in at all and of course the order is not signed yet. The Grand Trunk Railway Company are no worse than other companies; they are doing good work in the country. Those who are employed by the company want to save the company money; they want to take it out of the farmers of the country. That is their business. They say they will do a certain piece of work if the township contributes \$100, and then afterwards they go to the Privy Council and try to get \$200, saying they put in a stone culvert when they have not done it at all. They have made an experiment at a cost of \$75 to improve the old culvert, and they want the township to pay \$200. They have sent in the bill again—

MARSHVILLE, 11th Nov., 1895.

Municipality of Wainfleet,

To Grand Trunk Railway of Canada, Dr.

To deepening Eagle Marsh Culvert..... \$200 00
N. F. JOHNSTON, Agent,
Marshville.

If they had put in a stone culvert they were to be paid \$100. They put in wood and took it down a little lower and now they want the township to pay \$200. This is only one case, and if I choose to look for cases I can show hundreds of them, but that is not my duty. It is not the fault of the railway companies; it is the fault of the law that allows such a state of things to exist. I have been trying in the Senate to amend the law, and the Senate has always sustained me on this question. I have been trying for eight years and I hope I will succeed bye and bye. If I do not succeed and have to pass in my checks and go to another sphere, there will be somebody left to carry it out. Now we come to the answer of the

township of Wainfleet. I wrote a letter to the clerk of the township asking him about this matter, because it is immediately in my own vicinity.

MARSHVILLE, February, 14th, 1896.

L. MCCALLUM, SENATOR,
Senate Chamber,
Ottawa.

Dear Sir,—Yours of the 8th instant received also that of the 11th. And in reply I beg leave to state that the Grand Trunk Railway Company last fall lowered the old culvert under the railway on Eagle Marsh Ditch to the depth asked for by the Council to meet the requirements of the drain as improved, the then reeve, Mr. Misener, was notified of the work being completed, went and examined it and pronounced it satisfactory. There having been a new culvert erected as contemplated, the council thought the township would not be called upon by the Railway Company to bear any of the expense of the improvement as made to the existing culvert. And the reeve notified the Railway Committee of the Privy Council that the Railway Company had complied with their wishes and that the township had no further cause for action "Re Eagle Marsh Drain Culvert" against the Grand Trunk Railway Company and the council wished the matter dropped. But you may imagine the surprise of the council on receiving "a few weeks after" an account from the Railway Company, of two hundred dollars as being the township portion of the cost of lowering said culvert, the township has not paid the bill nor will they do so unless compelled by law. The company offered through their solicitor, Mr. Bell, to build a new culvert of stone by the township contributing one hundred dollars, but instead, they the company, repaired the old culvert at a cost "as estimated by competent judges" of seventy-five dollars and coolly asked the township council to hand them two hundred dollars as their portion of the expense."

I am sorry to take up the time of the House with this one case, but I would not deal with it at all except to satisfy the hon. member from Ottawa. Here is a work that was to have been constructed in the first place of stone at a cost of \$600. Now it is fixed at a cost of \$75 by men of competent judgment, and the Grand Trunk Railway Company coolly ask the township to pay \$200. If the township should pay at all, their proportion ought not to exceed \$25, as the township was only to pay one-third of the cost, even if built of stone, by order of the Railway Committee of the Privy Council, and under the arrangement made by the solicitor of the Grand Trunk Railway Company, \$100, the Township's portion of the cost would be \$12.50. I have given one case; I hope I will not have to look up others, to show how the people of the coun-

try have suffered under the existing law. The government of this country is a good government. I have supported the Conservative party all my life, but why should the farmers of this country, living far from the Capital, have to come here and ask of the Railway Committee of the Privy Council the privilege to drain the land? Don't they know what they want; and they are willing to pay for it. The railway companies are always to do the work; why should they not do it and leave the settlement of the cost to arbitration? The idea has been held out to the Senate that the farmers of the country are going to pierce the railway banks and make holes here and there. Nothing of the kind has been contemplated. A farmer cannot step on the track only on the crossing without rendering himself liable to a fine of \$10. Why should you not allow the people of the country to drain their land? It is not going to be an injury to the railway; on the contrary, it is going to be a benefit to them. In many cases the farmers have to go miles and miles and commence at the outlet to drain the land and when they drain up to the railway, before they can go across to drain what is on the other side, they must come here and get leave from the government of the country, and yet hon. gentlemen say that proceeding under the present law does not cost the farmers anything. The government pays the expenses they say—who pays the government? Do not the farmers pay taxes the same as other people in this country? Let us not forget that. These people have certain rights and we must recognize them. We must give them fair play. They work hard with their hands trying to produce wealth in this country and they should not be tyrannized over by the railway companies.

Hon. Mr. WOOD—I am a young member of this House, of course, and from what I have learned to-day I believe the proceedings in the Senate are not similar to the proceedings in the House of Commons. I supposed the other day, when this bill was allowed the second reading and when it was referred to the Railway Committee, that it would come back to this House when a discussion would take place upon it. There was certainly a good deal of division of opinion in the House the other day when the bill was read the second time, and my

own opinion has been from the first that there were no actual cases of hardship which would justify the House in adopting a measure of this kind to-day. We have heard for the first time here, or at least I have heard for the first time—I believe the bill was passed in the Senate before but I was not a member of the House at the time—I have heard to-day for the first time any case of hardship for which it became necessary to pass a bill of this kind. I could not hear the hon. gentleman very distinctly, and I have not an opportunity yet of reading his remarks and therefore I cannot judge of the case of hardship to which he has referred, but even suppose that cases of hardship should exist, it appears to me, from the study I have given this bill, that the proper remedies are not here proposed. In the first place, the bill appears to me to be entirely unnecessary. For the case of hardship to which he has referred we have already sufficient remedies in the provisions of the general Railway Act. The first clause of the bill appears to me to be especially objectionable. It is a very sweeping clause. It places upon the railways the duty of maintaining all drains, ditches and watercourses existing at the passing of this Act everywhere throughout the Dominion. As I understand the law at the present time, they are obliged to do this, not by direct enactment of this kind, but they are liable for damages in case of any resulting from their neglect to maintain any drains or ditches or watercourses which exist at the present time. If I am right in this, I do not see the necessity of this enactment, and I think that that clause at all events should be eliminated from the bill. The main object the hon. gentleman has in view, I believe, is what he seeks to accomplish in the second clause of this bill, and if grievances really exist which require any remedy which they have not at the present time, I am quite willing and would be very glad to adopt any amendment to the Railway Act which would give the parties aggrieved a proper and a satisfactory and convenient remedy; but this bill takes away from the Railway Committee of the Privy Council the jurisdiction over changes of this kind in certain cases and it appears to me that is a fatal objection to this measure. I believe that under any circumstances the supervision and jurisdiction of the Railway Committee of the Privy Council should be maintained and that any changes,

whether they are of greater or less importance, should be referred to the Railway Committee of the Privy Council and be sanctioned before they are adopted. I certainly, for one, object to the third reading of the bill to-day. I believe it cannot be done under the rules of the House and as it is an important measure, we should have time to give it further consideration before it is finally adopted.

Hon. Mr. McINNES (B.C.)—I do not rise for the purpose of discussing the bill, but I am a little surprised at the course pursued by the hon. gentleman, who is an old parliamentarian though a new member of the House. He rose for the purpose of objecting to the third reading of the bill to-day, which he has a perfect right to do, but instead of confining himself to that, he went on to discuss the bill in all its phases, and I am surprised that no one raised the question of order.

Hon. Mr. WOOD—I did object to the third reading of the bill to-day.

Hon. Mr. DICKEY—The hon. gentleman is right in his point of order, but he was wrong in not having stopped the hon. gentleman sooner.

Hon. Mr. POWER—As there is an objection, the third reading of the bill must stand until Monday.

The third reading of the bill was fixed for Monday next.

ADULTERATION ACT AMENDMENT BILL.

SECOND READING.

Hon. Mr. FERGUSON moved the second reading of Bill (10) "An Act further to amend the Act respecting the adulteration of food, drugs and agricultural fertilizers." He said: The object of this bill appears to me to be a very good one. It was introduced by a private member in the other House and has been sent up to the Senate for our consideration. But while the principle of the bill is a good one, I fear the details of it and the manner in which it proposes to deal with the subject, will not be found, on close examination, to be very satisfactory. It is a measure to protect the public as well as the bee-keepers interests in this Dominion. Hon. gentlemen are

aware, no doubt, that bee-keeping is a very important interest in Canada, although at first blush many might be disposed to think that it is not so. From figures which have been shown to me, and which I think are reliable, the honey produced in Canada in the year of the last census reached the value of about \$800,000. In our country to a small extent, and in the neighbouring country to a very large extent, frauds are carried on in connection with the bee-keeping industry—that is, by feeding the bees with sweet substances and thus, as it were, making them parties to the commission of a fraud. The bees secrete the sweet substances in the comb and it is sold as pure honey. The bill proposes to prevent this, and it is a very desirable object to accomplish if it can be done effectually without hampering legitimate and proper trade. The bill proposes to go further and deal with imitations of honey, a subject which is already to some extent dealt with in the general Adulteration Act and other statutes. I have very considerable objection to the manner in which this bill, as it comes to us, proposes to carry out its object. In the first place, it confounds two distinct subjects—adulteration, and the sale of an article not deemed to be a proper one for food. I intend to move an amendment to the bill when we get into committee to meet this objection. Another objection is that the offence of exposing substances for bees to feed upon is dealt with as an adulteration, whereas it is a distinct offence. It bears the same relation to adulteration, that having possession of a still, which is held to be an offence against the Revenue Act, bears to illicit distilling, and therefore it should be treated as a separate offence. There are other points in this bill which require to be carefully considered in the committee, but I think the House will be prepared to affirm the principle of the bill, which is that the bee-keeping interest should be protected and frauds in connection with it prevented, and that what is really a delicious and wholesome article of food should be produced in its purity, not only for home use but as an article of export. It is gratifying to find that of late years we have been exporting a considerable quantity of honey, and there is no reason why that export should not continue to increase. The flora of every province in Canada is valuable for the production of

honey and the climate is suitable for the industry. I hope the time is coming when bees will be kept on every farm throughout the country. A more interesting and profitable study for young people could not possibly be found than the care of bees, apart from the fact that they produce a delicious article of food. There is no reason why we should not become large exporters of honey to the British market where there is a great and growing demand for it.

The motion was agreed and the bill was read a second time.

FEMALE OFFENDERS IN NEW BRUNSWICK BILL.

IN COMMITTEE.

The House resumed in Committee of the Whole consideration of bill (C) "An Act respecting Female Offenders in the Province of New Brunswick."

(In the Committee.)

Hon. Mr. WOOD—I may say that some changes suggested by the law clerk have been made to this bill. The measure is a copy of an Act passed some years ago, incorporating the Good Shepherds Reformatory in Halifax, N. S. Since then the Criminal Code has been passed, and the alterations made are merely to make the bill conform to the Criminal Code.

On the second clause,

Hon. Mr. ADAMS—I desire to call the attention of the committee to the peculiar character of this clause. I have given the bill some little consideration since I last spoke upon it, and I cannot reconcile myself to giving my consent to the bill as it stands. The criminal law of this country provides for a distinct punishment for the offences referred to in these clauses—imprisonment for a term of two, four or six months. This bill proposes to authorize a justice of the peace, a police magistrate or other officer, not only to increase the sentence prescribed in the Criminal Code, but to increase it for three years and ten months by virtue of this clause. Supposing this bill did pass, a girl of sixteen or seventeen years who came before a police magistrate accused of shoplifting, or theft, could be sentenced to imprisonment, under the law

of the land, for a term of not less than two or more than six months, according to the nature of the offence. That is all the Criminal Code demands. The very moment the term of imprisonment expires, the debt to the State is paid by the girl and she is allowed to go at liberty. But this bill proposes to change all that. If this section No. 2 provided that the person convicted of an offence should be removed to a reformatory for the same period as she can be imprisoned under the Criminal Code, I would not object to it, but we are asked to authorize the magistrate to extend the term of imprisonment from say two months, for three years and ten months longer or in other words instead of sentencing two months he can sentence the prisoner for four years. Is it reasonable to grant such power to a magistrate that he should be at liberty to incarcerate a girl, who has committed an offence punishable by law, in a reformatory for four years when the criminal law of the land only provides for imprisonment in a jail for a term of two months? A girl under 21 years of age is liable to a punishment, under the Criminal Code for a certain number of months, for certain offences. Why sir, by this bill you take away the liberty of that girl and you add not less than two years additional to the term of imprisonment. Let her be sent to the reformatory for the same number of months, or the same term of imprisonment as could only be imposed upon her by virtue of the Criminal Code. Do not add to the imprisonment. It is something, I think, most terrible to give a police magistrate, or any other person, power to imprison for four years a young girl who may, in an unfortunate moment, have committed an offence of a trivial nature, which would render her liable to imprisonment for only two months under the Criminal Code. It is something terrible that we as legislators, sitting here, in the calm cool consideration of questions coming before us.—

Hon. Mr. POWER—Very calm!

Hon. Mr. ADAMS—Yes, very calm. No person in the world should have the right to imprison a girl convicted of a small offence, in the reformatory for four years and keep her there and make her perform the duties belonging to that institution. The unfortunate position of this bill is that we have no rules and regulations by which we can

get one bit of information pertaining to this institution. The hon. gentleman who has introduced this legislation has failed to furnish the rules and regulations governing it. More than that, I desire to call the attention of this body to the fact that the Good Shepherds Home is not incorporated by the provincial legislature of New Brunswick as yet, and we are legislating here before ever the provincial government or provincial legislature has given its approval to the act of incorporation. It is entirely different from the case of the city of Halifax. There the Nova Scotia Legislature had given them a Provincial Act of Incorporation. The Senate of Canada understood and knew exactly the legislation that had been provided by the provincial legislature. Here we are dealing with a society which has no Act of Incorporation so far as our provincial legislature is concerned. We are without any information so far as the rules and regulation of the institution are concerned, and yet we are asked, under sub-section (2) of this bill, to give our consent to taking away the liberty and rights of a girl simply because, as I have stated before, she has committed an offence which only calls for a light punishment. We are to give power to the police magistrate to imprison her for four years. What offence has she committed that deserves such a term of imprisonment? What crime has she committed against the state that would warrant the magistrate in taking away her liberty for four years when the criminal law of the land said she was entitled to be punished only for a short period? I am not presenting merely my own opinion. I have asked the opinion of good lawyers in the city of Ottawa, and there is not one that does not agree with my view that it is something terrible to empower a police magistrate to increase the punishment of an offender as provided by this bill. It must not be supposed, as some people have said, that I am against a reformatory. I know the best authors to-day are discussing the question as between the jail and the reformatory, and public opinion in modern times is moving towards the reformatory, but that is not what I am discussing. I am dealing with the question of imprisonment under this law. Let them carry out the law if they will; let them establish the reformatory by legislation, but in the name of ordinary justice, in the name of fair play to the unfortunate who

may be brought before the criminal courts and liable to imprisonment, let every offender be treated fairly. Do not take away her liberty, beyond what the Criminal Code provides, and if she is punished according to the terms of the Criminal Code, I guarantee that she suffers enough for the crime she has committed, without giving to the police magistrates, in the case of a young girl over 16 and under 21, the power of imprisoning her for four years as against two or three months, as by the Criminal Code provided.

Hon. Mr. POWER—I think the hon. gentleman is labouring under some misapprehension. If the hon. gentleman consults the Criminal Code, to which he has referred, he will find that that code expressly provides that where, instead of imprisonment in a prison or jail, the court sentences a juvenile offender to imprisonment in a reformatory, that imprisonment shall be for a term of not less than two years. Now the hon. gentleman has based his whole argument on the supposition that the enactment in this bill is contrary to the Criminal Code; and when he discovers that it is not, I presume that he will be willing to withdraw his objection. Section 956 of the Criminal Code is as follows:

The court or person before whom any offender whose age at the time of his trial does not in the opinion of the court exceed 16 years is convicted, whether summarily or otherwise, of any offence punishable by imprisonment, may sentence such offender to imprisonment in any reformatory prison in the province in which such conviction takes place, subject to the provisions of any Act respecting imprisonment in such reformatory, and such imprisonment shall be substituted in such case for the imprisonment in the penitentiary or other place of confinement by which the offender would otherwise be punishable under any Act or law relating thereto; provided that in no case shall the sentence be less than two years or more than five years confinement in such reformatory prison; and in every case where the term of imprisonment is fixed by law to be more than five years, then such imprisonment shall be in the penitentiary.

Hon. Mr. ADAMS—That does not touch the case at all.

Hon. Mr. POWER—That meets it exactly. This is a reformatory prison and if a judge chooses to send an offender to that prison, the sentence cannot be less than two years.

Hon. Mr. BOULTON—That, I would take it, meant that the sentence was two years, not two months.

Hon. Mr. POWER—The hon. gentleman has no right to think anything of the sort. He has simply to take the language of the section. It says :—

The court or person before whom any offender whose age at the time of his trial does not in the opinion of the court exceed 16 years is convicted, whether summarily or otherwise, of any offence punishable by imprisonment.

It does not say any offence punishable by two years or upwards. You see the main foundation of the hon. gentleman's argument is completely stricken away. Now, hon. gentlemen, we are not dealing with novel legislation. A measure almost exactly similar to this was dealt with some five or six years ago when Sir John Abbott led this House. That measure, as hon. members who were here at the time will remember, was very carefully considered. It was discussed clause by clause. There was no disposition on the part of the Leader of the House then to push the matter through at all. He scrutinized it very carefully. The hon. gentleman from Victoria, B.C., scrutinized the measure with great care too, and it was submitted to the Department of Justice and most carefully considered there. I remember hardly any measure which has ever been passed through this Senate which was more carefully considered than this one was, and although the hon. gentleman from Northumberland was not here, and although his views may be worth a great deal, still the matter has been considered before and considered at length; and we cannot attach as much weight to his views as if we had not discussed and considered a similar measure before. The extract which I have read from the Criminal Code shows what the feeling of parliament is with respect to those reformatories. This institution in St. John is not the only reformatory in the country. There are reformatories all over the Dominion. There is the Mercer reformatory, and, I think, another one in Toronto; there are reformatories in Quebec and there are three reformatories in the city of Halifax and the legislation with respect to all those is substantially identical with the provisions of the measure before us. It is not, perhaps, necessary here to discuss the principle of the bill, but as the hon. gentleman indicated at the close of his own speech, the tendency nowadays is in favour of reformatories as against prisons, at any rate for juvenile

offenders. Now, hon. gentlemen must see that if a girl of 15 years of age, is arrested for some comparatively trifling offence, it is very much better that she should be sent to an institution where she will be surrounded by good influences, than that she shall be sent to herd with older criminals in a city prison, jail or other institution of that sort. Every one who has given any study at all to the subject of dealing with criminals is aware of that fact. That is the tendency of the present day, as the hon. gentleman himself admits. Notwithstanding that, the hon. gentleman wishes to say that if a girl is arrested in the city of St. John for vagrancy or some other trifling offence, she shall be sent to the common house of correction in the city of St. John, to associate with old criminals, rather than be sent, at the discretion of the magistrate, to an institution—that is if she happens to be a Catholic girl—where her morals will be looked after and where she will receive the utmost possible care. That is rather a peculiar position for an hon. gentleman who poses as a friend of the petty juvenile offender. And the same way with an older woman. The rule as to the girls—that is the rule laid down in the Criminal Code—is to be the rule also with respect to older offenders. It has been found that in the case of a woman who has been leading a life of crime for four or five years, if you send her to a reformatory for two or three months no substantial permanent good result follows, and so last year we amended the Act with respect to the Halifax institution so as to authorize the magistrate to sentence the older offenders for a longer term. Two or three months will do no good in the way of reforming. It is thought that a year, or two years, is very likely to do so; and some of those women who have spent a year or two in the institution have been permanently reformed and have become useful and respectable members of society. It should be the desire of every friend of civilization and of christianity, that that should take place. There is as I understand, a reformatory for boys in St. John. In Halifax there are two reformatories for boys, one connected with the church to which I belong, and the other a Protestant institution. Now, hon. gentlemen, I think that this measure should pass substantially as it is, for the reasons that it is identical with a measure which was very carefully discussed and considered here, and

considered by the Justice Department, that it is almost identical with the legislation with respect to every other similar institution throughout the Dominion and that it is in itself right and proper. The hon. gentleman said something about inspection, about there being no report, but if he had taken the pains to read the bill, he would have found there was every provision for inspection. If the hon. gentleman will look at clause 15 he will find that such reformatory and such industrial refuge shall at all times be sufficiently open for inspection by any officer appointed by the Lieutenant-Governor.

Hon. Mr. ADAMS—I never said a word about inspection, because I know that that is in the bill. I said there were no rules and regulations with regard to the institution.

Hon. Mr. POWER—If the hon. gentleman will allow me, I think I shall prove to him that even on that point he is not correct :

And when and so long as any pecuniary aid is received from the city of St. John by either or both of such institutions, such reformatory and such industrial refuge, or that one of them so receiving aid, shall be open to inspection by the mayor, aldermen and police magistrate of such city or any of them.

In Halifax those institutions are inspected and meet with the approval of the aldermen and mayor and city police magistrate. Then subsection 2 of clause 15 says :

After the expiration of two months from the passing of this Act no rule or regulation such as is hereinbefore mentioned shall have any force or effect unless approved by the Governor in Council.

That covers the objection,

Hon. Mr. ALMON—I wish to corroborate what has fallen from the senior member for Halifax with regard to the benefit done by the institution in operation in Halifax. Any medical man in practice must feel that it has been a great want, the possibility of reforming the persons mentioned in the bill. But what I rise to remark is that I think it is scarcely fair that a girl who is guilty of shop-lifting should be put in the institution unless she can be separated in some way from the other women there. She may be virtuous in every respect except that she has been guilty of larceny. We

all know about the disease of kleptomania. People who are respectable in every way have been guilty of kleptomania. I have not read the bill and I do not know as to when the magistrate is compelled—

Hon. Mr. POWER—He is not compelled, he uses his discretion.

Hon. Mr. ALMON—I think otherwise it is an excellent institution.

Hon. Mr. MACDONALD (B. C.)—Since the bill was up before the House a few days ago, I see the government have purchased land in Alexandria for a reformatory and intend putting a building there for that purpose. If that is the case it would do away with all the private institutions that we are now dealing with.

Hon. Mr. POWER—That is for Ontario.

Hon. Mr. MACDONALD (B. C.)—No, for the whole Dominion. A thing of that kind must be for the whole Dominion, and therefore it will do away entirely with the necessity of a bill of this kind. I think the House is indebted to the hon. gentleman from New Brunswick for calling attention to this. In the case of a child 16 years of age, condemned to two months imprisonment for a trivial offence, the power is given by this bill to impose four or five years imprisonment, which I think is a very iniquitous thing. This bill overrides the Criminal Code. Are we going to sanction a thing of that kind in the nineteenth century with the light we have before us, that a girl should be condemned to such a long term of imprisonment for a small offence? And if a girl once gets into the reformatory, she can never escape; she is liable to be imprisoned in one and transferred to another and kept going to and fro like a shuttlecock from one to the other. I believe this is entirely a denominational bill. It gives power to traffic in prisoners and in money, and it is entirely a private affair. What is to prevent a Protestant girl, who is imprisoned for a year, saying that she is a Catholic, and being put in that reformatory? It might not do her any harm, but there might be a proselytizing system going on, and she might become a Catholic. That might happen. It might be a good thing or it might be a bad thing, but the bill gives that power. The government should be careful in allowing such a bill to pass. It

is entirely a denominational measure, and is it the function of this parliament to give extra power to any denomination in this country? It gives this church power, over and above any denomination in the country, to follow up its own people. That is not a matter for the whole Dominion, and it should not be interfered with by the Dominion. This is, to all intents and purposes, a denominational bill, and in that particular, I am strongly opposed to it.

Hon. Mr. BOULTON—I am opposed to the principle of this bill. I think it is the duty of the State to undertake the building and management of reformatories and not leave the treatment of criminals in the hands of private associations such as the one with which this bill deals. The hon. gentleman who has just preceded me says that the government is building a reformatory in Alexandria near this city. I do not suppose that the institution will be available for the Maritime Provinces, but there is no reason why a reformatory upon the same lines as the one which is being constructed in Alexandria should not be furnished for that part of the Dominion and managed as successfully as it could be by any private organization. This bill is a private bill.

Hon. Mr. POWER—The hon. gentleman is mistaken.

Hon. Mr. BOULTON—It is a public bill for private parties.

Hon. Sir MACKENZIE BOWELL—The Alexandria institution is for the Dominion.

Hon. Mr. BOULTON—If institutions of this kind were to spring up all over the Dominion where is it going to land us?

Hon. Mr. MACDONALD (B.C.)—So they will spring up.

Hon. Mr. BOULTON—I did not say that the motives which have inspired this legislation are in any way improper, but out of these private institutions, in the course of time, great wrongs grow up, and it is a very difficult thing indeed to undo mischief that has been in existence for a period of forty or fifty years under a law on the statute book. We read of a case now before the magistrates in Ottawa, of a boy ten years of age

being taken to Montreal by his grandparents, and while there he stole 50 cents from his grandfather, and upon their evidence he was sentenced to three years in the reformatory. The case now turns upon cruelty to the boy since leaving the reformatory, on the part of his grandmother, but it looks as if the stealing of the fifty cents was brought about for the purpose of securing the committal of a boy for three years. It is better for us to legislate with a knowledge of what has taken place in other countries, and not to give to a private institution of this kind the care of any class of our criminal population. Then there is the point which has been raised with regard to these two subsections—that a magistrate can sentence a prisoner to four years to this private institution for an act which only calls for two months' imprisonment under the Criminal Code. That is wrong in principle; it is an injustice and contrary to all British constitutional usage to deprive the subject of liberty for a longer term than is provided for by the general laws of the country. It is a special law for a special case. It enables an institution of this kind to secure the labour of a girl between the ages of sixteen and twenty-one, for a period of four years, or over twenty-one for a period of two years, and to make a profit out of that labour. We hear great complaints from the labouring classes against institutions of this kind, which are springing up everywhere and undermining their legitimate calling. They are subjected to the competition of these institutions, who secure by such means as this bill provides, the labour of girls for a term of years without any pay. I say it is an injustice from that point of view. It seems to me that it is an injustice from every point of view and a bill of this kind should be thoroughly considered, so that we may understand what it leads to before undertaking to legislate further on the subject.

Hon. Mr. POIRIER—If section 2 is open to the construction placed upon it by the hon. member from Northumberland, it is objectionable, though I do not exactly see it in his light. If the police magistrate is authorized to sentence a girl to jail first and then afterwards extend the imprisonment to the reformatory, the clause should be amended. I understand that the object of this legislation is to save young people

from the taint of jail. That idea prevails now in all civilized countries. It originated, I believe, in France and the United States, and the results have proved very satisfactory. The idea is to try and reform the culprit after her first offence and give her a chance to amend. But if the magistrate, under this bill, is empowered to send the girl to prison first and then, as my hon. friend from Northumberland said, to send her to the reformatory, I think the measure is objectionable.

Hon. Mr. POWER—He has no power to do so.

Hon. Mr. POIRIER—I would propose to make it clearer. In the 30th line the word “extended” should be expunged and then there would be no misinterpretation of the intention of the Act. I am in favour of substituted imprisonment—that is that a girl liable to six months’ imprisonment, for example, in the city prison, should be, instead of that, turned over to the Good Shepherd’s Reformatory.

Hon. Mr. MACDONALD (B.C.)—For how long?

Hon. Mr. POIRIER—For the term mentioned in the bill.

Hon. Mr. MACDONALD (B.C.)—That overrides the Criminal Code,

Hon. Mr. POWER—No, it complies with the Criminal Code. The hon. gentleman mis-states the case altogether.

Hon. Mr. POIRIER—In the Criminal Code a person might be sentenced to six months in jail; the equivalent will be two years in the reformatory. It is not the imposition of an extended sentence; it is a substitution. I am in favour of that substitution, because it saves the girl from degradation; it enables her to go back into the world without the taint of imprisonment in jail. But if this bill gives power to the magistrate to degrade a girl by sending her to a prison and then afterwards to extend the punishment to imprisonment in the reformatory, I see no use for the bill.

Hon. Mr. WOOD—It does not bear that meaning at all.

Hon. Mr. POIRIER—I do not think it does either, but it is open to that interpretation.

Hon. Mr. WOOD—The punishment is merely a substituted punishment instead of the original punishment. It is not additional.

Hon. Mr. POIRIER—Then in that case I would agree perfectly with my hon. friend from Westmoreland, but if this House will read the clause again I think we will all agree that it is open to the other interpretation.

Hon. Mr. POWER—No.

Hon. Mr. POIRIER—I object to the word “extended” here, because it is open to a wrong interpretation. If this word is expunged I would quite approve of the bill, because it would be substituting imprisonment in the reformatory for imprisonment in a jail, where a girl would be degraded. If the mover of the bill will consent to expunge the “extended” I will vote for the clause.

Hon. Mr. POWER—The hon. gentleman must see that it quite unnecessary to make the change. The magistrate may sentence the girl to two months’ imprisonment in jail or two years in the reformatory. If it is extended to two years it is imprisonment in the reformatory.

Hon. Mr. LANDRY—Does not the marginal note indicate that it is another imprisonment?

Hon. Mr. POWER—We are not governed by the marginal note in interpreting this clause.

Hon. Mr. CLEMON—I understood the argument of the hon. member from Northumberland to be this: if the police magistrate, in his discretion, considers it necessary to impose more than two months’ imprisonment, additional machinery is provided in this bill by which he can extend the term by sending the girl to the reformatory. I want to know what additional machinery there is?

Hon. Mr. POWER—There is no additional machinery.

Hon. Mr. CLEMON—Am I to understand that in the preliminary case the

magistrate has the discretion to imprison for a longer period? The utmost punishment provided is two months imprisonment; I understood the hon. gentleman from Northumberland to say that this could be extended afterwards by the magistrate. If so, it is wrong, but if the magistrate has the discretion of making the imprisonment, instead of two months in jail, two years in the reformatory, it is not open to the same objection.

Hon. Mr. BOULTON—For the same offence a boy would only be sentenced to two months imprisonment.

Hon. Mr. CLEMOY—I am a very firm believer in having an institution where those criminals could be sent to be reformed instead of being sent to jail. The influence of the jail is bad, and there should be some other institution where their morals could be attended to, but that should be under the supervision and superintendence of the government of the country. That is a fundamental principle, and as an institution of the kind has been erected at Alexandria at the expense of the country, it should be used for the purpose. I believe it will attain the end in view. I am glad to find that I was wrong in the interpretation of the argument of the hon. gentleman from Northumberland. I think it would be a great anomaly to provide that one man can say that the crime should be punished by imprisonment for two months, while another authority could say the punishment should be for four or five years.

Hon. Mr. DEVER—The magistrate has no authority except what is contained in the Criminal Code.

Hon. Mr. WOOD—There seems to be some apprehension in the mind of the last speaker, and possibly others, with regard to the power of the judges and magistrates who, under the Criminal Code, have the power to try criminal offences. This bill does not alter the jurisdiction of any court in the country. The courts of the country and the magistrates have precisely the same jurisdiction that they have now under the criminal laws of the country. The only thing which this bill does is to give the court, or person trying the criminal, a discretionary power to substitute imprisonment in the reformatory in certain cases for a

term in a common jail, or city prison, as provided in the criminal law. That is the only additional power which this bill gives, and that power is vested in the judge who tries the criminal, and the sentence is pronounced at the close of the trial by the judge who tries the criminal.

Hon. Mr. BOULTON—Would the judge have the power to sentence criminals to the common jail for two more years?

Hon. Mr. WOOD—If the law under which the criminal was tried gave him that power, he would have the power. This bill does not give him any power with regard to sentencing to the common jail.

Hon. Mr. BOULTON—I understand that under this bill, if the offence is a light one, the term of imprisonment is two months.

Hon. Mr. WOOD—He has already the power, under the criminal law, to sentence these offenders to the common jail, or the city prison, and the term of imprisonment will depend upon the nature of the crime and, to a large extent, the length of the imprisonment is left to the discretion of the judge. This gives the judge the enlarged discretionary power, instead of sentencing certain offenders to the common jail, to send them to the reformatory as a substitution. That is the entire change which it makes.

Hon. Mr. BOULTON—The point I wish to make is this: That a child of sixteen years of age might be subject to a penalty which would, under the Criminal Code, be for a much shorter term in the case of a boy. This bill permits a magistrate, without any further offence being committed, to take away the liberty of a child between the ages of sixteen and twenty-one, where, under ordinary circumstances, the term of imprisonment would only be two months.

Hon. Mr. WOOD—I was about to make a remark on that point when the hon. gentleman rose and interrupted me. The objections to the bill which have been urged by the hon. gentleman from Northumberland and my hon. friend from British Columbia have been to the lengthening of the term. It is true that the bill gives the judge who tries these criminals in certain cases a discretionary power to lengthen the term, and

that is the real object of the bill. As pointed out by one of the speakers, it would be very little use to send a young person to a reformatory and simply detain her for a couple of months. It gives the judge the power to lengthen the term they are to remain in the reformatory from two to five years. If hon. gentlemen would reflect upon the reasons for that, it appears to me there would be no objection to the bill. It must be remembered that the object of sending these criminals to a reformatory is entirely different from the object had in view in sending them to a city jail. In the one case, it is merely punishment for the crime they have committed; in the other case, it is not in the nature of a punishment—it is an attempt to reform the criminal. It is obvious to anyone who reflects upon the nature of these two sentences that it is proper and right that in the one case the sentence should be for a longer term than in the other. If hon. gentlemen will reflect, they will see that there is no objection whatever to allowing the sentence under those circumstances to be for a longer term. The first hon. gentleman who spoke referred to the police magistrate of St. John, but I have already referred to the jurisdiction of the magistrate. It does not increase his jurisdiction at all. It does not give him jurisdiction in any cases in which he has not jurisdiction at the present time.

Hon. Mr. ADAMS—Turn to section one. It says: “in his discretion”—where do you find elsewhere that the police magistrate can increase the sentence beyond that named in the law?

Hon. Mr. POWER—It is in the Criminal Code.

Hon. Mr. WOOD—It is true, it gives the police magistrate of St. John a discretionary power to pass a substitute sentence instead of the sentence he is authorized to pass under the criminal law of the land, but it does not give him jurisdiction over any cases which he has not jurisdiction over at present. It simply gives him power to substitute the sentence provided in this bill for the one which he would be obliged to impose under the ordinary Criminal Code of the land.

Hon. Mr. POIRIER—I move that in line 30, after the word “to,” the words “an

extended or” be expunged, because, as I said before, those words “an extended or” might possibly be interpreted as enabling the police magistrate, after a young girl has been in jail, to extend the punishment and send her to a reformatory. In this case the wholesome object of the bill would be lost. I think the majority, if not all of us, here are in favour of the substitution of the reformatory for the common jail, but not the reformatory after the prison.

Hon. Mr. WOOD—I hope the hon. gentlemen will not press that motion. I certainly do not think that this clause bears the interpretation which the hon. gentleman is trying to put upon it. The clause clearly says that this is a sentence to be substituted when it is pronounced, instead of the sentence provided for in the preceding section—instead of, not in addition to. Any one who knows the proceedings of our courts knows that when a criminal is tried and the jury have brought in a verdict of guilty the sentence is pronounced and it must be pronounced then. I never heard tell of a judge revising a sentence or pronouncing another sentence, and there is nothing in this bill that can possibly be construed into permitting anything of that kind. I think it would be a mistake to expunge the word “extended,” because the sentence, as I said, is an extended sentence—a longer sentence than the one provided for in the Criminal Code.

Hon. Mr. POIRIER—I think the hon. gentlemen said it was a substituted sentence.

Hon. Mr. WOOD—It is an extended and a substituted sentence; those are the very words used in the other bills similar to this.

Hon. Mr. SCOTT—I think there is a misconception as to the reason for the introduction of the words “two months.” This bill only applies to cases where the law points out that the sentence must be for at least two months. If, for instance, the offence committed was one for which the law provided the punishment should be only imprisonment for one month and twenty-nine days, this bill would not apply at all. It is in connection with the character of the offence that the Criminal Code provides the punishment. In all cases where the Criminal Code provides a punishment of two

months and over, the bill applies. If the Criminal Code provides a punishment of less than two months, this bill does not come in at all. In cases where the magistrate can imprison for two months and upwards, he has power to substitute the reformatory for the jail. Of recent years the object of all legislation in amendment of the Criminal Code has been the reformation of the criminal. Our treatment of criminals has been changing very materially during the last half century. And I am happy to say that the effect is perfectly apparent in the reformation of society. We now provide not alone for the confinement of the criminal in a reformatory but also for improving his morals, and we go further and now authorize a judge to pass what is called a suspended sentence. A prisoner is brought in guilty by the jury and the judge says "I am inclined to rely upon your sense of honour and desire to lead a better life, and instead of sentencing you to imprisonment I let you go on suspended sentence. If you commit any other offence, the ordinary punishment that I would now inflict will be imposed upon you." That is the spirit of the age and the method most consonant with the reformation of the criminal. As to the other point spoken of, that this has anything to do with the church, my hon. friend used rather strained language in saying so. The reformatory at once becomes a prison, subject to government inspection. The Governor in Council appoints an inspector who examines all the reformatories.

Hon. Mr. MACDONALD (B.C.)—It is entirely Catholic.

Hon. Mr. SCOTT—Not at all.

Hon. Mr. MACDONALD (B.C.)—The people at the head of it are entirely Catholic.

Hon. Mr. SCOTT—No. The culprits are sent to a reformatory that is under the control of those who belong to the religion that the culprit belongs to.

Hon. Mr. MACDONALD (B.C.)—Yes, precisely.

Hon. Mr. SCOTT—Because it is thought that those who hold similar views on religious questions may have more influence with the culprit.

Hon. Mr. MACDONALD (B.C.)—That may be.

Hon. Mr. SCOTT—The culprit would have some respect for the opinion of those whom she is supposed to regard as her spiritual advisers. It is presumed that in all churches those who are over the congregation have more influence with them than those outside of the church, and therefore it is quite in harmony with our views of reforming all persons who may err. But the inspection is very positive. And then again it does not by any means follow that the culprit is detained after she reforms. The reformation may be perfect in six months, and under those circumstances the culprit is to be released at once. The people who are about her are the best judges, and the inspector who from time to time visits the institution, is able to judge whether a culprit has so far improved that it would be wise and prudent to let her go at large. You have to use wise discretion in these cases. We cannot lay down hard and fast lines for reforming people. We have to trust it to those who are deputed to take care of people of this class, and any person who has any experience in sending persons to jail must feel convinced that it is more necessary to multiply our reformatories than the jails, no matter what their denomination. Take the records of Toronto, or any other place, and you find there are certain criminals who spend some months of every year in jail. There is a certain class of criminals who, when they come out of jail, only remain out for a week perhaps, and back they go. There is no reformation in our jails, and the inmates become more deeply steeped in iniquity.

On section 10,

Hon. Mr. MACDONALD (B. C.)—Section 10 interferes distinctly with the course of justice. The section says:

Unless with the written consent of the superintendent or superior of the Industrial Refuge first had and obtained, no such sentence as is mentioned in the next preceding section shall be pronounced.

That is dictating to the judge what he shall do.

Hon. Mr. POWER—The hon. gentleman, I think, is exceedingly unreasonable. These institutions cannot be expected to take prisoners without, as a rule, being paid,

although they actually do take them. I know the institution in Halifax, has taken charge of a great number of persons for whom it has not been paid: but there is a provision elsewhere in the bill that a municipal council may make provision that prisoners shall be paid for, and when that is done the prisoners may be sent to the institution. This clause simply provides that if no provision has been made for paying for criminals in the institution, the institution shall not be bound to receive them. That does not seem very unreasonable. I dare say they would have plenty to do, if they would keep free of charge all that were sent there.

Hon. Mr. MACINNES (Burlington), from the committee reported the bill with amendments, which were concurred in.

SECOND READING.

Bill (D) "An Act for the relief of James Pearson" (Mr. Clemow.)

The Senate then adjourned.

THE SENATE.

Ottawa, Monday, March 2nd, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

POST-OFFICE RETURNS.

INQUIRY.

Hon. Mr. McINNES (B.C.)—Before the Orders of the Day are called, I should like to remind the hon. premier about the post-office returns that I called for some time ago?

Hon. Sir MACKENZIE BOWELL—I wrote to the Post-office Department and the last answer I got was that the most of that correspondence was by telegram, and they had some difficulty in getting it together. I will drop them another note. There is no excuse for it.

RAILWAY ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. McCALLUM moved the third reading of Bill (A) "An Act to amend the Railway Act." He said:—I was under the impression when I made some remarks on Friday that nobody had any objections to the third reading then, and I shall not make any remarks to-day if the bill is allowed to go through.

Hon. Mr. WOOD—I should like to offer a few observations upon the bill before the motion is carried. I do so with a great deal of reluctance, for I am reminded that this bill has been before the Senate on two or three occasions already, and the mover has succeeded in passing it through this Chamber. I have no doubt, therefore, that hon. gentlemen have heard it discussed and have considered its provisions, and it may be like presumption on my attempting to occupy your time with a further discussion to-day. I shall be very brief, however, in my remarks. Since Friday, when I objected, as I felt it my duty to do, to the third reading of the bill, I have given it some hours of study and I simply propose to-day to point out to the House the conclusions at which I have arrived with reference to its merits. First, I invite the attention of the House to clause one in the bill. It is entirely separate and distinct and deals with an entirely different class of subjects from those with which the succeeding clauses of the bill deal. Clause 1 deals with drains which are already constructed, and the subsequent clauses deal with drains which may be hereafter constructed. Now, my first objection is this, that the meaning of this clause, as it stands in the bill, is not clear—the language is very ambiguous. The wording used in the latter part of this clause is entirely inconsistent with the words used in the first part of the clause; it is impossible for me to make out its meaning. The ambiguity consists in this; if hon. gentlemen will read this clause from the first line down to the word "Act" in the 9th line, it would appear to be general in its application. The clause reads:—

Notwithstanding anything in section 14 it shall be the duty of every railway company under the jurisdiction of the Parliament of Canada and without any such contributions as hereinafter referred to, to maintain and keep in repair all necessary drains, ditches and watercourses in existence at the passing of this Act.

If the clause stopped there it would appear to be general in its meaning and to apply to all drains, ditches and water courses, whether constructed by the railway company itself or by municipalities at their expense and maintained at their expense, or whether they were a class of drains which benefited both the railway companies and the adjoining lands and were constructed and maintained at their joint expense. The subsequent words appear to limit the meaning of this clause. To what extent they limit it and what is the effect of those words as they stand, I am at a loss to know. I should be very glad if the mover of the bill would explain it, or possibly the Chairman of the Railway Committee may be able to do so. For my part I am unable to explain it.

Hon. Mr. POWER—Explain which?

Hon. Mr. WOOD—The words after "Act" in the first clause. The only possible meaning I can attach to them is that it is intended to limit the operation of this clause in some way to the drains on lands belonging to the company and which have been constructed for the purpose of draining the lands of the company rather than lands adjoining the lands of the company. If that is the case, let me point out that there is one word in this clause which is very important and upon the meaning of which a great deal turns, and that is the word "necessary" in the 8th line. If the clause stopped at the word "Act," necessary drains would apply to drains which were necessary for the purpose of the railway, to drains which were necessary for the purpose of the municipality or adjoining farm lands, or drains which were necessary partly for each, but if it is intended by these last words to limit it to drains which were required and only required for the purposes of the railway and for draining the lands of the railway, of course it is a very important limitation. If that is the meaning the word "necessary" is certainly in the wrong place in the clause, and in that case, in my opinion the clause should read in this way, that it should be the duty of every railway company under the jurisdiction of the Parliament of Canada to maintain and keep in repair all drains, ditches and water-courses in existence at the passing of this Act which are necessary for the lands belonging to the company. If it read that way the meaning, certainly, would be clear.

I do not think, if that is the meaning that is intended, that this clause should be passed. It is entirely unnecessary, because drains which are necessary for the purposes of the railway are already provided for under the general provisions of the Railway Act. Besides this, there are only two interests involved in such drains, the interest of the railway company itself, which must maintain these drains for the preservation of its work, and the interest of the travelling public, which latter interest is looked after by the Railway Committee of the Privy Council. The municipalities and the adjoining farm lands have no interest in drains which are simply for the purpose of draining the lands belonging to the company, and to pass an Act which simply says that every railway shall maintain at its own expense the drains which are necessary in and for the lands belonging to the railway company, seems to me to be at least superfluous, if it is not absurd, for why are there any regulations with regard to drains. Take the regulations of a municipality; they make regulations with regard to the construction and maintenance of drains, provided there is a number of farms affected by them, but you never heard tell of a regulation made by a municipality that a certain farmer should make such drains as were necessary for draining his own farm lands. It appears to me equally unnecessary that this House should pass a bill to say that railways should make or maintain drains which were necessary for draining their own lands and for the preservation of their own works. Besides this, if that is the meaning of this clause, the first line of the clause should be struck out. The first words of the clause are: "Notwithstanding anything in section 14 of the Railway Act." Section 14 of the Railway Act, if the hon. gentleman will look at it, does not refer in any way to drains which are necessary for draining lands belonging to the company, or by the construction of which lands belonging to the company are in any way affected. It simply refers to drains which are built after a railway has been constructed, which are built not for the purposes of the railway, but solely for the purposes of the municipality or the lands adjoining. Section 14 is very clear; it says that when after notice of application the railway committee decides that it is necessary in the interests of the municipality that means of drainage should

be provided and so on, thereupon such municipality may construct the works, or at its option, the company may construct the works and the cost of constructing such works and the maintenance of the same should be paid by the municipality, unless the railway committee direct otherwise. Now it seems clear to me that if this clause is intended to affect section 14 of the Railway Act, it cannot apply to drains which are constructed for the benefit of lands belonging to the company, but must apply solely to drains which are constructed under the authority of section 14 of the Railway Act, and those drains are drains in which the railway company have no interest, drains which are found necessary for the purposes of lands adjoining, which were constructed at the cost of the municipality. If section 1 is intended to apply to that class of drains, the latter words in the section should be left out altogether so as not to confuse the meaning, and then the only meaning which it can have, that I can conceive of, is that in future it is to place on the railway companies the whole cost of maintaining drains in existence at the present time, which have been constructed by municipalities at their cost and maintained up to the present time at their cost. That is the clear meaning of this section, in my mind.

Hon. Mr. BOULTON—That is the cost of their right of way only.

Hon. Mr. WOOD—I do not see the force of the hon. gentleman's remarks.

Hon. Mr. BOULTON—The hon. gentleman says that the purpose of the Act is to transfer the cost of these drains, which are now maintained by the municipality, over to the railway company.

Hon. Mr. WOOD—I do; yes.

Hon. Mr. BOULTON—But the railway Company is obliged to maintain the drains across its own right of way?

Hon. Mr. WOOD—Oh, not at all.

Hon. Mr. BOULTON—Well, they should.

Hon. Mr. WOOD—Let me give the hon. gentleman an illustration of what I mean. In my own county, we have the city of Moncton, which is the largest corporate municipality there. When the Intercolonial

Railway was built there was no city there. Since then, the city of Moncton has grown up and it has been found necessary to have a system of sewerage and drainage. The city of Moncton has built its sewers underneath the railway, across its track, out into the river. That work has been done by the city of Moncton, of course with the permission of the government. That work has been done and those drains are maintained solely by the city of Moncton. The railway lands do not even empty into them, get no benefit whatever from them. The drains are away down underneath, out of sight, and the railway lands are not affected by them in any way at all. Those drains have been constructed and at present are maintained by the city of Moncton, but this clause, if it has that meaning—and I cannot see any other—transfers for the future the cost of maintaining the drains in Moncton to the railway. That seems to me clear, and it involves a principle that is so manifestly unjust that I cannot see how the House can possibly give its sanction to it. I do not wish to take up time, but this first clause to my mind is ambiguous in its meaning, and whichever construction we put upon it, it appears to me the clause is one which this House should not sanction.

Hon. Mr. BOULTON—This bill is not intended to affect the city—only the country.

Hon. Mr. SCOTT—It affects the cities, and all.

Hon. Mr. WOOD—It says municipalities. It must apply to the cities. I do not think I can be mistaken in that. The following clauses deal with an entirely different subject. They deal, not with drains which exist at the present time, but with drains which are hereafter to be constructed. I do not propose to dwell upon these sections, because, I believe, the features involved in this part of the bill have been pretty fully discussed, and I must say here that, up to the present time, until I studied the bill after I left the House on Friday, I supposed the principle involved in these clauses was really the only change which it was proposed to make in our present railway legislation. These clauses I objected to on Friday and gave my reasons for objecting to them, and I hold the same objection still, which is, in a few words, this: that the proposi-

tion here is to give the municipality, in certain cases, the authority, without consulting the Railway Committee of the Privy Council, to construct or compel the railways to construct drains across their tracks or across their lands. The objection, of course, is readily seen, and will be understood by hon. gentlemen in the House, and I do not think it is necessary to go into a discussion on this particular point, for no doubt you have all considered it very fully. I consider it is introducing a novel and a very bad principle into our railway legislation. In the construction of all these drains, whether they cost \$800 or whether they cost \$8,000, that it is necessary to build across the property of a railway company, the plans and specifications should in the first place be submitted to the Railway Committee of the Privy Council and should receive their sanction before the drain is allowed to be constructed. I wish, however, before I sit down, to offer one or two observations with regard to clause 6. I find, upon careful study of the bill, that the clause goes a great deal further than any of the clauses which precede it. The proposition here is to make railway companies subject to all general municipal regulations. I object, for one at all events, entirely to any policy being adopted by this House of that nature. In the first place, it appears to me to be founded upon a principle which is manifestly unfair. A railway company passes through a municipality. It has property, it is true, in that municipality but that property stands in an entirely different relation to the local authorities from any other property in the municipality. The railway company has no voice in electing the council which makes these regulations. They are made by the council and the railway company, if it is interested, should be heard, but it is not heard. It knows nothing of these regulations until they are made and passed, and it appears to me that where they stand in that exceptional position they certainly should not be subject to general regulations of that kind.

Hon. Mr. McCALLUM—May be I can help the hon. gentleman a little. Look at line 2 of clause 6; it says, "Not inconsistent with this Act." If the hon. gentleman will look at that note it will save a good deal of argument.

Hon. Mr. WOOD—I studied those words very carefully, and I cannot see how they give any different meaning to the clause or remove in any way the objection which I urge. Those words certainly do not give the railway company any voice in electing municipal councillors. They certainly do not give them any voice in making the regulations, and it appears to me a novel principle to introduce here that railway companies should be subject to regulations where they stand in such an exceptional position. It may be said that other parties may own lands in a municipality who are non-residents and who may have no voice in making these regulations, but at all events they are in this different position, that they are able, if they wish, to alienate and dispose of their property, whereas a railway company is not. When a railway company has once built its lines through a municipality, it is there to stay, and it appears to me that no principle could be more unjust than to make them, under those conditions, subject to municipal regulations. Another objection to this clause appears to me to be this, that a municipal council, from its very nature, is not competent to deal with the question of the drainage of any kind of railway property. A municipal council, which is usually largely composed of farmers in the district, may be quite competent to make regulations for draining their own farm lands, or if it is in the city, to make regulations for the proper sewerage or drainage of the city, but the drainage of railway property is an entirely different and a much more important matter. The permanency of railway structures largely depends, in all cases, upon the character of the drainage. The supports of bridges, the supports of large culverts, road crossings, or other openings in the railway, require to be of a permanent character, and the drainage in connection with them, is a most important question, requiring a particular class of talent to deal with them. They require engineers of experience, engineers who have studied railway work, and have a thorough knowledge of their business. Now, just reflect how this subject has been dealt with in the past. It is fully provided for under the general provisions of the general Railway Act. The railway company itself, under the general provisions of the Railway Act, can make or construct across, under,

over, and so on—I will not read the whole thing—it is section 90 of the Railway Act. It can, in the first place, construct drains, build tunnels and bridges, and so on. In the second place, it is authorized to divert or alter rivers, streams, water-courses, and so on. In the third place, it is authorized to make drains, not only in its own lands, but through and under lands adjoining the lands of the railway. In the fourth place, it is authorized to divert or alter any sewer or drain. It is given these powers fully. Powers are vested in the railway under the guidance of proper engineers, always of course having first submitted their proposals and plans to the Railway Committee of the Privy Council and having them inspected by a competent engineer appointed by the government, and they must first receive that approval before any drains can be constructed or any changes can be made. Then the interests of the public are guarded later on. Section 91 provides that the railway company shall restore, as nearly as possible to its former state, any river, stream, water course, water pipe, sewer or drain. They are obliged under the general provisions of the Railway Act to preserve all the water-courses and all the natural drainage facilities of the district through which they pass. If in the exercise of these powers they do any damage to adjoining lands, that is also provided for in the general Railway Act. In section 92 it says that the company shall, in the exercise of its powers, do as little damage as possible and shall make full compensation in the manner herein and in the special Act provided, to all parties interested for all damage by them sustained by reason of the exercise of such powers. Now, hon. gentlemen will see from those sections the principle adopted by the Government in framing the Railway Act, which is the general railway legislation of the country at the time and governs all the railways which have been constructed under or are subject to the jurisdiction of the Parliament of Canada—the policy is this, to authorize the railway companies, under the advice of their own engineers, to construct all drains and have the full charge of the drainage of the railway lands, and wherever they find it necessary, in the exercise of those powers, to do any damage whatever, full compensation is provided for to every person who is in the slightest degree damaged. That is the policy as it exists to-day under the general Railway Act. This bill, if

clause 6 passes, proposes to change that policy and to make the railway companies liable to any regulations which any municipality through which that railway may pass may see fit at any time to make. There are other objections to it, of course. Going through different municipalities, those regulations may be entirely inconsistent with each other. There will be no uniformity. The railway company will never know one week what regulations they will be subject to somewhere the next week. They have no voice in framing the regulations and will know nothing of them until they are passed, and they will never know what regulations they will from time to time be subject to. I promised to be brief and I shall not make further observations. I hope I have made myself clear. I hope I have made clear to the hon. gentlemen who compose this hon. House the objections which I see to this bill. I desire to say before I sit down that it appears to me that this is a bill which affects the general railway legislation of the country for which, of course, the government of the day are responsible. I feel like expressing the surprise, which certainly I experienced, that this bill, until I objected to it on Friday, was likely to pass this House without our having heard any expression of opinion from the government with regard to its merits. I am told, too, that hon. gentlemen who compose this Chamber have already considered the matter, that their minds are made up and that it is too late now to hope to convince them that this bill should not pass. I am aware, too, that the hon. member who proposes this bill is a gentleman who is so universally popular in this House that it is almost useless to oppose any measure which he submits. I certainly feel the very strongest possible friendship for that hon. gentleman, and there is no member of this Chamber who would be more desirous of supporting any legislation which he might introduce than I would be, if I could consistently do so. I have, however, devoted some study to the bill since the House last met. I have explained the objections which present themselves to my mind upon a close examination of the bill, and I feel that under all the circumstances, entertaining the opinions which I do, I should be neglecting my duty as a member of this House if I allowed this bill to pass without a protest. I therefore feel it my duty, under the circumstances, to

move that this bill be not now read the third time but that it be read the third time this day six months.

Hon. Mr. KIRCHHOFFER—As seconder of this motion, I rise with considerable diffidence to make a few remarks with reference to the bill itself—diffidence not on account of any halting between two opinions as to the nature or character of the bill itself, which I consider to be vicious in the extreme, but on account of the high opinion which I, and other members of this House, have for the hon. gentleman who is father of this bill, and who has devoted so much time and given so much labour in his endeavours to make it part of the law of the land. As we all know, railway corporations although chartered by the government and acting apparently as independent bodies, are notwithstanding subject to governmental and departmental control. That is to say, after the road-bed has been constructed and before they are allowed to carry freight or passengers, they are obliged to produce a certificate from a responsible and competent government engineer that the road-bed is constructed and in a condition fit to carry freight and passengers with safety to life and limb of the travelling public. Any delegation of the authority such as the government wisely assumes in this way is, I think, fraught with the very greatest element of danger. It is a paternal function which the government has assumed and provides, as far as human sagacity and carefulness can do it, for the safety of life and limb of the travelling public, and I think any delegation of such an authority, an authority which in my opinion should be most carefully guarded, will be fraught with the greatest danger to those who travel. It is only when you come to look carefully into the matter that the very extraordinary and important nature of the amendment becomes apparent. When any of us go on a journey by rail, and retire to our little beds, after having said our little prayers let us hope, we say to ourselves, that although railway contractors and officials may have tried to scamp their work, yet in as much as the certificate of a competent government engineer has been furnished to the railway company, the government have provided for our safety as far as human sagacity and carefulness can do it. In other words the government have taken charge of the road-bed. And to whom are we now

asked by the amendment to delegate this authority? Is it to able and skilled engineers, or to a corporation which will be responsible in case of accident to life and limb? It is nothing of the sort.

Hon. Mr. McCALLUM—The bill delegates it to the railway company,

Hon. Mr. KIRCHHOFFER—The authority is given, according to one of these clauses, to the municipality of the county or township through which the railway has to pass.

Hon. Mr. McCALLUM—Read on further.

Hon. Mr. KIRCHHOFFER—We know the composition of the ordinary municipal council in Canada. The matter is not to be dealt with by a competent engineer, but by an ordinary provincial land surveyor, employed by the municipal council.

Hon. Mr. BOULTON—Subject to appeal to the Railway Committee of the Privy Council.

Hon. Mr. KIRCHHOFFER—I know that; but we are asked to hand this over to municipal bodies. I say it is a most dangerous precedent, and that the government should not allow the control which they now possess to pass from their hands. I expected to see the leader of this House and of this government rise in his place, and state whether they intend that this supervision, which I think the government has wisely controlled, over these lines, to pass out of their hands. I think it is a most unwise thing to allow it to be done.

Hon. Mr. VIDAL.—I very much regret the absence of the hon. gentleman from Barrie who made some remarks on this bill when it was read the second time. His statements and argument made a great impression on my mind and convinced me that it is most unwise that the Senate should allow this bill to pass. It has been already pointed out how the Railway Committee of the Privy Council is charged with the duty of protecting the rights of the public travelling over the railroads, and one of the wise provisions contained in the General Railway Act is that no road shall be used for the conveyance of passengers until such time as its road-bed, its bridges

and all things pertaining to it have been properly examined and certified to by a competent government engineer. The object of parliament is, of course, to protect not only the rights of individuals and municipalities, but the safety and the rights of the travelling public generally. That is the object which they have in view in thus insisting that no road shall be open to public travel until it has been properly examined and certified. My hon. friend who has just resumed his seat remarked that if any amendment is to be made to that clause it should be an amendment brought in by the government after having examined into the necessity of such legislation and having seen that its provisions do not conflict with other requirements of the law or, jeopardize the safety of the public. With this view I fully agree and if the government saw that an amendment proposed by any other person was not in the public interest or did not seem to be desirable, then it is the duty of the government strongly and firmly to oppose the bill. They are the parties responsible to the public generally for the statutory protection of life of those travelling on these railways. I admit that in the bill before us it is provided that a reference may be made to the Railway Committee of the Privy Council, but only when a dispute arises. Here I think is the essential defect in this bill, that it allows that an agreement may be made between a railway company and a municipality for a ditch or culvert across the railway without the knowledge or intervention of the Railway Committee of the Privy Council. I presume hon. gentlemen know that we have many small township councils in this country, easily influenced by individuals. I do not think what I say would be applicable to the great railway lines of the country, but there are many short lines operated by small companies, and it is easy to understand that any influential individual desiring to make some drainage across the line of railway might be able to convince the township council that it is a very desirable thing that the drain should be made and they could pass the necessary by laws to provide that it shall be done in a very economical way, that not a single dollar should be expended more than is absolutely necessary in their judgment for the construction of the work. I can easily conceive that one of the smaller railways, not possessed of much funds, would be

moved to construct this work in the most economical way, and that under the operation of this proposed bill there might be such an understanding between the municipality, or the person influencing the municipality, and the small railway as to authorize the construction of this drainage across the road by some defective or unsafe plan. You will observe that when such an understanding exists between the two, the Railway Committee of Privy Council has nothing to do with it—it does not know anything at all about it. Under that compact between the two, if they do not disagree, they can make a waterway crossing that road which will jeopardize the safety of the public travelling over it. Is that a thing which we should encourage when we have an excellent provision in the existing law that no two parties interested in the construction of a drain across a railway can make that work until it has been properly certified to by an engineer of the Railway Department? Under this bill you take away the strongest guarantee the public have that the road will be maintained in a safe and proper manner. I know my hon. friend who has introduced this bill and has taken such an interest in it is perfectly aware of my sentiments towards him, that they are of the warmest friendship and most sincere esteem, and that I recognize the good motives which are influencing him in proposing this legislation, but I do not think he has looked sufficiently into it. He has not weighed sufficiently the effects of it such as I have already suggested. Under the circumstances, therefore, it is not wise that we should interfere with the jurisdiction of a court which has been constituted by parliament as a sufficient and proper court for judging as to the safety of these ditches across railways; it is not wise that we should interfere with that and transfer the authority which, as I have shown can be done without appeal in some cases, to parties who are not responsible for the safety of the travelling public. If an amendment to the Railway Act is required, it should come from the government and as a matter of fact, although people talk about the great expense of bringing anything before the Privy Council, I think it has been sufficiently shown that that is an argument which has no weight whatever—that it is not necessary for people to come a great distance to lay a case before the Privy Council, that they can do

it by a properly addressed letter and that that letter will certainly have the effect of moving its railway committee to send a competent engineer to make an examination and report upon the work to be done, and no expenses to the applicant involved. I have yet to learn that there has been any complaint, by way of petition or otherwise, brought before this House or the other House showing that any private rights have been so seriously affected, or loss incurred, by a defect in the law, and I am satisfied that if it can be shown that an amendment is required in some of the procedure, it has only to be submitted to the government in order to be considered, and a proper amendment added to the Railway Act, as it now stands, without it being necessary to be brought in by a private member. I am quite well aware that this House has, on former occasions, sanctioned the bill which is now before us, but it has not succeeded in passing the other House. I do not remember whether a vote was taken on it there. The last time it fell through, it was because it was too late in the session. But surely, hon. gentlemen will see that while it was not opposed by the government here, if they really felt that that was a necessary improvement to the Act, in the interest of the public safety, and of the people whose lands might be affected, it would not have been too late to pass it in the other House after it had passed here. Had the administration of the day desired that bill to become law, they would have brought it in with the government's sanction, and it would have passed, no matter how late in the session. So I do not think much weight is to be attached to the argument that it has met with the government's approval. The view presented by the hon. gentleman from Westmoreland is correct, in my judgment, and I therefore support the amendment.

Hon. Mr. DEBOUCHERVILLE—I should like to know why this bill, being a public bill, should not be sent to a committee of the whole House?

Hon. Mr. VIDAL—I asked that question when the bill was referred to the Railway Committee, because I thought a committee of the whole House was the proper place to discuss its details, and the answer was that it had been referred to the Railway Com-

mittee in a former session and it was considered right to do it again.

Hon. Mr. BELLEROSE—I have listened to the arguments of the hon. gentlemen who have preceded me, and I fail to find in them anything against the principle of this bill. Those arguments are sound and demonstrate that there ought to be amendments made, but they do not show that the principle of the bill is bad. On the contrary, no serious objections having been raised, it seems to me that the bill is right, and therefore the six months' hoist is not the proper motion to make. The bill should be referred back to the committee for amendment. As to the statement that nothing has been said to show any necessity for this legislation, that is not correct, because I recollect on my own part myself, though I have not thought over it much. It occurred in the parish of Ste. Dominique, and a notary in that parish, in the district of St. Hyacinthe, was imprisoned for interfering with the Grand Trunk Railway. The farmers of Ste. Dominique had complained for some time of the want of drainage, and had asked the Grand Trunk Railway Company to open a ditch so that the farmers in the neighbourhood of the railway might have their lands drained, but the company refused to listen to their demands and no redress could be had. At last Mr. Gendron, who was a member of the House of Commons some time ago, headed his neighbours and constructed a ditch under the Grand Trunk Railway. He was apprehended and put in jail. That was only right, because he was interfering with a railway track, which was contrary to law, but that shows that this bill is in the right direction—that something ought to be done. No doubt, as I said before, the arguments that we have heard to-day show that the matter ought not to be dealt with as it is in this bill, but that is no reason why the bill should be rejected. It is very easy to add a clause to provide that before a ditch is opened the government must be notified of the intention to construct the ditch and the proposed work can be examined by an engineer. Then the work could be done in the way suggested by the hon. gentleman from Sarnia, but to throw out the bill, when an amendment would make it proper legislation, is entirely wrong. I shall, therefore, vote for the third reading of the bill, as I approve of its principle.

Hon. Mr. DEBOUCHERVILLE—I raised a question of order. I find in May, edition of 1873, page 493, that all public bills must be referred to a committee of the whole House. I appeal to the Speaker to decide if this bill ought not to be referred to a committee of the whole House.

Hon. Mr. MASSON—The question of order should have been raised at the time when the motion was made to send the bill to the Railway Committee.

Hon. Mr. DEBOUCHERVILLE—I am raising the question now.

Hon. Mr. MASSON—The objection is too late. A motion was made to refer the bill to the Railway Committee, and that motion was unanimously sanctioned by the House. The bill was considered by the Railway Committee and reported back to the House, and the report of the committee was adopted by the House, consequently it is too late now to raise the objection.

Hon. Mr. DEBOUCHERVILLE—That does not prevent us from referring the bill to a committee of the whole House, now in compliance with the rule.

Hon. Mr. MASSON—The hon. gentleman's point of order is that the bill should not have been sent to the Railway Committee. The House decided unanimously that it should be, and the bill having been considered by the Railway Committee and reported back from the committee, and the report having been adopted by the House, it is now too late to raise the point of order.

Hon. Mr. POWER—There is a good deal of force in the question raised by the hon. gentleman from Montarville. The fact that this bill has been referred to a special committee does not necessarily exempt the bill from going through the usual stages in cases of public bills after it comes back.

Hon. Mr. MASSON—It is not a question of order.

Hon. Mr. POWER—Excuse me. That was the question raised by the hon. member from Montarville. I was going to say that on Friday the hon. gentleman from Montarville might have objected when the hon. gentleman from Monck moved that the bill be read a third time to-day. That was his motion and there was no objection to that,

and we can suspend any rule by unanimous consent, and the hon. gentleman must remember that particularly towards the close of the session the committee stage of public bills is often omitted here by agreement. The committee stage is not an essential stage. A bill must have three readings. It is not absolutely necessary that a bill should be considered in committee at all; so that I do not think the point of order is well taken.

Hon. Mr. DICKEY—I would like to observe on the point of order that this case is provided for by rule 69 which reads:

Unless the Senate otherwise orders, a private bill reported from a standing or private committee is not committed to a committee of the whole House.

Hon. Mr. MILLER—It is not a private bill.

Hon. Mr. DICKEY—The bill was already referred to the committee as a private bill.

Hon. Mr. MASSON—I am dealing with the point of order. The hon. gentleman might have been right in his point of order if he had raised it three days ago, but the question to be settled by the Speaker is whether the hon. gentleman is at liberty to bring the point of order up now. I think he is not at liberty to raise the point of order now. He is too late.

Hon. Mr. McCALLUM—I do not know that I am very well qualified to discuss the point of order, but I like to follow common sense a little. In the first place, this bill was read here twice in the Senate and the Senate ordered it to go to the Committee on Railways, Telegraphs and Harbours, and they adjudicated on it and reported the bill to the House, and I moved the third reading of the bill and now the objection is taken. It appears to me rather a curious way to carry on business in this House.

Hon. Mr. BELLEROSE—It seems to me very easy to decide the question. Has the Speaker any power to over-rule the House? The bill went to a Select Committee and was reported to the House by the committee, and then the Order of the House was made for the third reading of the bill to-day, and now the question of order is raised that the bill, under the rules of the House, should have been referred to a general committee and that the House took a wrong course and that the bill ought to be sent now to a com-

mittee of the whole. Is not that asking the Speaker to over-rule the House? I am at a loss to know why that should be done. The Speaker has a right to decide upon open questions, questions upon which members do not agree and which have not been decided upon by the House, but this is not an open question, the House having determined upon the course which was followed, so I do not see that the question of order has been well taken. The time for raising this question of order was when the bill was ordered for its third reading to-day. This not having been made it is too late now to do so.

The SPEAKER—If this question of order had been raised in due time, I think it would have been well taken and would have prevailed, but two or three stages of the bill having taken place since, and having been sanctioned by the House, I do not believe the point of order could now be taken with any effect. Should the House like to refer the bill to a committee of the whole House, I presume that they would know what to do.

Hon. Mr. MACINNES (Burlington)—I have a suggestion to make. I do not know whether it is in order or not, but at all events I will make it. It is perfectly clear that the bill is objectionable in its present form—

Hon. Mr. POWER—To certain people.

Hon. Mr. McCALLUM—Railway directors, etc.

Hon. Mr. MACINNES (Burlington)—It has been made perfectly clear by the hon. member from Westmoreland in his admirable criticism of this bill before us that it is most objectionable in many respects. For example, under clause 6 a statutory obligation is imposed on our railways to observe by-laws passed by municipalities. There are hundreds of municipalities through which the railways pass. It will not be wise to introduce a principle which will divest the Dominion Parliament of its authority to interfere. On the other hand there may be clauses in the Railway Act which may be capable of amendment so as to meet the wishes of the promoters of this bill. I therefore suggest that the bill be referred to a special committee for the purpose of conferring with the government to endeavour to

arrive at an understanding which may meet the wishes of all parties concerned.

Hon. Mr. McCALLUM—I have always been willing, and have urged the government to take that course. It appears to me that the hon. gentleman for Westmoreland did not read the bill, or, if he did, he did not read it carefully, and of course I will have to read some of the clauses. I do not expect railway solicitors or railway directors to accept this bill. Some hon. members have spoken about ensuring the safety of life and property on the railways, but what is the fact in this case? Who puts in these culverts? If you look at the bill, you will see that a farmer is not to touch them. The railway company is to do the work always. It is only a question of who is to pay the expense, and what proportion each party has to bear. That is to be left to arbitration. I do not want to repeat what I said on Friday. I think I showed clearly enough how the farmers of the country were tyrannized over by the railway company. I will read the first clause of the bill.

Notwithstanding anything in section, 4 of the Railway Act, it shall be the duty of every railway company, under the jurisdiction of the Parliament of Canada, without any such compensation as hereinafter referred to, to maintain and keep in repair all necessary drains, ditches, and water-courses in existence at the passing of this Act, in and for the land belonging to the company.

Is not that perfectly right? Why should the company not do so? In the part of my country where the culverts cross the railroad, they are open culverts, and they let sediment and gravel get in sometimes. Is it not right and proper that the railway companies should keep them open? Can a farmer go on the tracks and open them? If he does, if he puts a foot on the railway, except on the crossing that is allowed him, he is fined \$10, and if he comes to the Railway Committee of the Privy Council his crops are drowned out before he gets here. In the case I told you of on Friday, it had taken over two months to do that work. In the first place the railway company by their solicitor here in Ottawa promised me that they would put in a stone culvert at a cost of \$600, the township to pay \$100 of the cost. What has been the fact in this case? The reeve came all the way down here before the Railway Committee of the Privy Council. They had had correspondence

about it and they did not put in a stone culvert, but they fixed it to the satisfaction of the township at a cost of \$75. Now if you see the proportion the township should pay, six to one, they should pay \$12.50, but they are presented with a bill for \$200, and that is the way this goes on all through the country. The hon. gentleman speaks of the drainage and objects to the railway companies being made liable to municipal regulations, and my hon. friend from Sarnia endorses the objections. They are made liable to all municipal regulations not inconsistent with this Act. If they are consistent with this Act it is all right, but not otherwise. That is why I called the hon. gentleman's attention to that part, but it appears to me he did not want to see that.

Whenever the Municipal Council of any county, township, parish or other municipality in Canada, either of its own motion or on the application of any inhabitant thereof, determines that it is necessary to construct a drain or ditch for the purpose of draining lands in the municipality across the land and railway of any railway company, such drain or ditch shall be, subject to the conditions hereinafter provided, be made and maintained across the line of such railway and lands and on equitable terms to be settled as hereinafter provided.

Now how is it settled? It is settled by arbitration. That is the only question in the whole bill. The railway company does the work in all cases, and if it costs \$800, they come here anyway, but if there is a dispute about the location of the culvert, in case it should be dangerous to life and property, you have got to come here before the Railway Committee of the Privy Council, or notify them so that they will send an engineer there to see that it is put in the proper place, and yet they tell you of the dangers to life and property. If the railway companies of this country are to build traps of that kind, we cannot help it, because they are under the inspection of the government. This does not take them from under the inspection of the government. It allows these parties to compel the railway companies to dig the ditches and settle, by arbitration, who shall pay for them. It is also provided that every railway company shall be subject to all general municipal regulations not inconsistent with this Act. Why should they not be? If a regulation is consistent with this Act, why should they not be subject to it?

Respecting the maintenance and repair of drains, ditches and watercourses in any county,

parish, township or other municipality in Canada through which the railway passes, unless exempted therefrom by the special Act of incorporation; provided always, that nothing herein contained shall authorize any municipality by any rule or regulation, to compel the use of the drains of the railway company for the purposes of general drainage other than is authorized by law.

I think that is plain enough. I do not know where the danger is. In trying to get this bill through Parliament, I do not deserve any credit; I am only doing my duty. The Senate has been very kind to me and has always assisted me, and I look for the assistance of hon. gentlemen to-day. The farmers of this country look to you, hon. gentlemen, to sustain me on this question. I am not an enemy of the railways. They are doing good work in this country, but I do not want them to tyrannize over the people and drown their crops. I want the people to have a chance to improve their land, but whenever I move, railway solicitors, railway directors, and railway proprietors oppose me at every step, and why? Is it the interests of the public that they have so much at heart? Do they love their fellowmen more than I do? No, it is the interests of their pockets they are promoting. They are paid for doing it. I am acting in the public interest solely; I do not want pay, and would not accept any. I am here in the interests of the people and I am going to stay here and try and get the bill through Parliament with your assistance. They say they will defeat me in the other House. They may do so, but if the Senate of Canada will stick by me, the people of Canada will make them sanction our legislation.

Hon. Mr. PRIMROSE—It is with some degree of diffidence that I would venture an appearance in the somewhat electric atmosphere of this debate. It is with sincere regret that I find myself obliged, with regard to the subject matter of this bill, to take a position which is antagonistic to my hon. friend from Monck, who is universally, and rightly so, esteemed among us all.

Hon. Mr. McCALLUM—Oh, do not apply the brush any more.

Hon. Mr. PRIMROSE—There is a very old adage, and I suppose there is some truth connected with it, or it would not have the antiquity it has, which says: "It is human

to err," and perhaps my hon. friend from Monck may have made some slight mistake in the views he has adopted and supported before the Senate in regard to this bill. In common with one of the previous speakers, I am very sorry indeed that the hon. gentleman from Barrie, who has had a very large experience, is not in his seat to-day. One of the previous speakers has said that he did not see that any particular objection had been taken to the principle of the bill. I cannot understand a position such as that. I think some of the hon. gentlemen who have preceded me have given very strong reasons and have stated very strong objections in their remarks against the principle of the bill. The hon. gentleman from Monck said that the hon. mover had not read the bill.

Hon. Mr. McCALLUM—I said that if he read it he did not read it correctly.

Hon. Mr. PRIMROSE—He informed us that he had made it the subject of study after our meeting on Friday, and he gave the result of his study in his remarks. Now it cannot be true that all those hon. gentlemen who oppose the bill have not read it or given it their best judgment. That is not to be assumed. In regard to the bill, the first fault I would find with it is this: The railway system and its management is of prime importance to every country where railway companies exist, and the use of the means which are at present in operation for deciding railway matters—matters of the same character as those that are embodied in the bill and which have been submitted to that body (I speak now of the Railway Committee of the Privy Council) has so far as my knowledge extends, generally at least, been accompanied with satisfactory results. I intend to be brief in what I have to say, and therefore I think where these circumstances obtain, and that this is really the record, that it is a dangerous matter to interfere. There are principles embodied in this bill which would be dangerous to engraft on the legislation of this country. In the next place, it is transferring important duties to local bodies, responsible it may be to the people in the immediate vicinity where they reside, responsible to the people of the locality but not to Parliament. That, I think, is a decided objection. Then it destroys uniformity of action. These different municipalities may come to ever so many different

conclusions, whereas in regard to the Railway Committee of the Privy Council, with their large and long experience in just such matters, it is fair at least to infer that the decision at which they will arrive, guided by long experience and mature judgment, will be one more likely in the lines of justice than those at which the municipalities so numerous and with so many divided interests would be likely to arrive. It is the special duty and function of the Railway Committee of the Privy Council to manage such matters, and as I have said, with their large experience they are more likely to manage them satisfactorily to the country at large than the other tribunals. Then I think the sixth clause especially objectionable, and as remarked by the hon. member from Barrie the other day, it would in fact compel the railways to observe the laws of the various municipalities with all their changes and differences of opinion. Then again, much stress has been laid upon the operation of the law and the expense entailed upon parties interested in coming before the Privy Council and presenting their cases. Now, it strikes me when everything is taken into consideration, that perhaps it will ultimately be found cheaper to go before the Privy Council than to adopt the course suggested here, and altogether there are elements in this bill in my view very dangerous to be crystalized into the legislation of this country, and for that reason I intend to support the amendment.

Hon. Mr. POWER—I think the hon. gentleman from Monck must feel very much flattered at the manner in which this bill has been discussed and the manner in which he himself has been spoken of. Every hon. gentleman who has spoken, or nearly everyone, has prefaced his remarks by expressing the very highest esteem for the hon. gentleman from Monck.

Hon. Mr. PRIMROSE—And perfectly sincere too.

Hon. Mr. POWER—And deploring the fact that a strong sense of duty obliged the hon. gentleman, who had the floor for the time being, to differ from the hon. gentleman from Monck and to oppose his favorite measure. Now it seems to me as though there was a disposition to kill the hon.

gentleman's bill with kindness, but probably the hon. gentleman from Monck would dispense with a few of the compliments if he saw his bill was getting a little more fair play. It is proper that every bill should have sufficient consideration and discussion, and should receive justice in that way, but as was said about Irishmen and law in old times, this bill is receiving a little more than justice. This bill, as you all know, passed this House twice, went through all its stages, was referred to committee, fully considered, and passed this House at two former sessions. It came up this year again in the early part of the session. It was read the first time, read the second time and discussed somewhat at the second reading, which was the proper time to deal with the principle of the bill, and was referred, in order that it might have a more thorough examination than it would under ordinary circumstances get in the committee of the whole House, to the standing committee on railways, telegraphs and harbours. One whole meeting of the committee was devoted to considering over again this bill, which had been considered so often before, and at the meeting of that committee there appeared the representatives of the persons most directly interested—the representatives of the railway corporations of this country—and the representatives of the corporations put the case of those corporations just as strongly—I do not say they put it better—and effectively as the case has been put by certain hon. members of this House to-day. After full consideration, after devoting at least two hours consideration to this measure, the committee by a vote of more than two to one decided to report the bill as we have it. Under these circumstances one would have supposed that its opponents would have been satisfied to have simply taken the sense of the House at the third reading, without getting up a debate and suggesting a procedure which I think is quite unprecedented here, that the bill at its third reading should be referred to a committee to consult with the government. It seems to me that the Senate would be abdicating its functions if it were to refer a bill for that purpose at the third reading. If the bill is read the third time, the bill is not passed. It passes this house, certainly; but it has to go to another place, and be fully considered there. In that other place the government have a great many supporters, and the bill can be

again considered by the government, and if they think it wise that the measure should not be passed, then they can prevent its passing in the other house; but it would be, to say the least, discourteous to the hon. gentleman from Monck, at this stage of the session, to undertake to kill his bill by any such motion as that which the hon. gentleman from Burlington proposes to make. I think further, hon. gentlemen, notwithstanding all the discussion which this bill has received, that certain hon. gentlemen have made discoveries in connection with the bill which partake very much of the character of mares' nests. The hon. gentleman from Brandon, and in a less degree the hon. gentleman from Sackville, laid great stress upon the sixth clause of the bill; they thought that it was simply a most outrageous and pernicious clause. What does that clause do? It says that every railway company shall be subject to all general municipal regulations not inconsistent with this act respecting the maintenance and repair of drains, ditches and water-courses. Now, hon. gentlemen, is there anything very unreasonable about that? The regulations are not to be made by a municipality specially for the railway company, but the railway company is to be subject to the general municipal regulations with respect to what? The hon. gentlemen from Brandon drew a melancholy picture of the condition of the railway which was placed completely beneath the control of a municipality. How far does the control of the municipality go and its regulations? Simply this far, to the regulations which relate to the maintenance and repair of drains, not the construction of drains at all. The municipality cannot make a regulation to compel a railway company to build drains. They simply make regulations as to the way in which the drains are to be maintained and repaired. Now I appeal to the House to say if there is anything unreasonable, or extreme, or likely to be mischievous in a provision of that sort? It simply says these railway corporations shall be subject to the general municipal regulations as to keeping up their drains, keeping them clean and in repair. That is a very reasonable thing.

Hon. Mr. SCOTT—It does not limit it to the railways.

Hon. Mr. POWER—Yes, certainly, drains on their property. The hon. gentleman from Ottawa says it does not limit it to the railway drains. How can the railway company be made responsible for drains on other lands?

Hon. Mr. SCOTT—There are drains constantly crossing the railway from other lands on to other lands, not the railway lands.

Hon. Mr. POWER—But no municipality could make regulations which would oblige one man to keep open drains on another man's land. It necessarily refers to drains on the lands of the company. That is another of the discoveries.

Hon. Sir MACKENZIE BOWELL—According to our laws in Ontario, you can compel the man next to you to drain his land.

Hon. Mr. POWER—This means that the railway companies are to do as their neighbours do in the way of maintaining and repairing their drains.

Hon. Mr. McCALLUM—You will see the municipal regulations must be consistent with this Act before they come under it. It is not all regulations.

Hon. Mr. POWER—The hon. gentleman from Sackville spoke of the necessity of allowing section 90 to continue to apply to railways. There is nothing in this bill to interfere in the slightest degree with section 90. The railway companies still have the power to make and construct their drains and to alter the courses of rivers and make drains or conduits in or through or under lands of the railway subject to the existing law, but they will also have to carry out the provisions of this bill. Now the hon. gentleman from Sackville spoke of the fact that the railway companies had no voice in the county councils.

Hon. Mr. SCOTT—Township councils. It is the township councils who regulate it.

Hon. Mr. POWER—Well, not in the lower provinces. The hon. gentleman from Sackville is speaking of his own neighbourhood where they have only county councils and city councils. Now I think as a rule railway companies have too much influence with the councils rather than too little, and I do not

think any danger need be apprehended from that source. The hon. gentleman from Monck has dealt with the danger and the risk to traffic. With all deference, I think the hon. gentleman from Sackville has misapprehended somewhat the effect of the first clause of the bill. Regarding the law as it stands now, section 14 of the Railway Act says that the cost of supervision of drains and the cost of continued maintenance of the same shall be paid by such municipality unless the Railway Committee direct that the company bear some proportion thereof, and the important point of this first clause of the bill is that hereafter the drains which are in and for the lands belonging to or held by such company—not drains in the neighbourhood of the land of the company, as suggested by the hon. member from Ottawa, but the drains in and for the railway company are to be kept in repair and maintained at the expense of the company. I do not think there is anything improper in that. I can well understand why they should want to get rid of that liability. I see no reason why the railway company should not pay for keeping drains on their own lands in repair as well as other proprietors of land.

Hon. Mr. WOOD—Would the hon. gentleman just say what he considers the meaning of the first clause—what its application is? I do not quite understand it. I think it is ambiguous.

Hon. Mr. POWER—I do not think it is particularly ambiguous. It begins by saying "Notwithstanding anything in section 14 of the Railway Act" Now we turn to section 14 of the Railway Act, and we find in that section a provision with respect to drainage to the effect that the drains having once been constructed, shall be maintained by the municipality, unless the Railway Committee of the Privy Council order otherwise; and clause 1 of this bill says that notwithstanding that provision in section 14 of the Railway Act the railway companies shall be obliged to maintain the drains in and for their own lands at their own expense. That does not seem to me to be a very unreasonable thing.

Hon. Mr. WOOD—Section 14 does not refer in any way at all to drains which are in and for the railways. It refers to drains

which are constructed solely for the benefit of the municipality.

Hon. Mr. POWER—It is a great pity that the hon. gentleman was not consulted when the bill was drafted, as he could have given several valuable hints to the sub-committee who drafted the bill. Let us read section 14 :—

Whenever after due notice of application therefor the Railway Committee decided that it is necessary in the interests of any municipality.

Hon. Mr. WOOD—Not the interest of the railway.

Hon. Mr. POWER—I said that under this clause, if it becomes law, the railway companies would be obliged to keep in repair the drains across their own lands in and for their own lands. I do not see why they should not do it. Every other proprietor has to do it. I do not find any difficulty about that at all. The reason “notwithstanding anything” is put in there is that section 14 provided that when the drains were made at the instance of the municipality they should be kept up at the cost of the municipality, unless there was an order to the contrary from the Railway Committee. If a district of land has been drained, and the drain crosses the railway line, so far as regards that portion of the drain which is on the railway land, the railway company should pay for it. I do not care to elaborate this subject any more; it has been discussed so much and so fully, and the sense of the House has been so clear about it, that it would be almost trespassing unfairly on the time of the House to discuss it any further.

Hon. Mr. SCOTT—I must say a word or two, as I have already expressed my opinion on this question. I wish to call attention to the fact that section 14 has in the past always been held to apply to lands other than those belonging to the railway. If a municipality desired to construct a drain to drain the lands on the one side of the railway, and there were lower lands on the other side, and they applied to the railway company, and the railway company, under the direction of the engineer, made an order for a drain to be cut in the direction to carry the water away under the railway track, solely for the benefit of the municipality, that is the only case where section

14 applies. It has no reference to the argument raised on section 1. We are told over and over again that section 1 was intended to apply exclusively to the road-bed, to the lands of the company, to their keeping their drains in proper order. If it was intended to apply to that, it ought not to be interjected in reference to section 14, because section 14 has no applicability to that. It applies to an entirely different condition of things. It applies altogether to the application by the municipality for its own benefit to construct a drain from one side to the other, or to carry a drain along the railway a certain distance and then cross, or carry it along a certain distance and find an outlet in another direction, whereas section 14, if we are to understand the interpretation given to it by all hon. gentlemen who have spoken, is intended to apply only to railway drains along the right of way, and those culverts which carry away the water in the ditches.

Hon. Mr. POWER—I certainly did not understand it in that way.

Hon. Mr. SCOTT—There are hundreds of cases—I have many in my own mind—in the province of Ontario where the railway companies have allowed, for the purpose of drainage, drains to be carried through their bank, the cost of those and the keeping in repair being entirely borne by the municipality because the railway company do not get any benefit from that whatever. Under this clause, in all those cases, whether a contract has been made or not, you are going to saddle the railway companies with the expense. There is not the slightest qualification—it is just as absolute and positive as the English language can make it—

Notwithstanding anything in section fourteen of The Railway Act, it shall be the duty of every railway company under the jurisdiction of the Parliament of Canada, and without any such contribution as is hereinafter referred to, to maintain and keep in repair all necessary drains, ditches and water courses in existence at the passing of this Act, in and for lands belonging to or held by such company.

Hon. Mr. POWER—That question was discussed before the Railway Committee fully.

Hon. Mr. SCOTT—It shall be the duty of every railway company “to maintain and

keep in repair all necessary drains, ditches and water courses in existence at the passing of this Act." Is there any qualification there?

Hon. Mr. PROWSE—The qualification is right after it:—

In and for lands belonging to or held by such company.

Hon. Mr. SCOTT—They say it is only right and proper for the railway company to maintain them, but those drains are for the benefit of the municipality. Those drains have to be maintained, and you propose to saddle the railway companies with the cost of that, whereas as a mere matter of grace, for the benefit of the municipality, they allow those banks to be pierced in that way. I say, as a lawyer, that is the interpretation put upon it. There is no qualification of it. By an Act of parliament you sweep away all those contracts and agreements. Hereafter, if this bill is passed, parliament will have decreed that wherever a pipe passes under a railway bank it must be kept in repair by the railway company. That is the effect of that clause, in my judgment. Then as to clause 6, I do not hesitate to say that it overrides the Railway Act in many important particulars. It overrides the Railway Act in reference to all those provisions which are sub-sections of section 90. At the present time, if it is in the interest of the road-bed, the railway company has a right to divert a stream and turn it in another direction. If it does any damage to property, the owner has a claim against the company for compensation. Under this clause the municipality may pass a by-law declaring that the stream shall not be diverted. Which is to prevail? This must prevail, because it is later legislation. It overrides section 90 and all its clauses. We know that a railway company is obliged sometimes to divert streams and the parties injured by the work have a right of action against the company. It is in the interest of the road-bed and of the travelling public that that right should be preserved. You are going to over-ride it by clause 6, because the municipality has a perfect right to make all regulations, and they have a right to say that a stream shall pass by a certain point. The railway company are powerless to act under section 90, because this is a later Act. Heretofore the Railway Act has been under the sole

control of the government of the day, who are entirely responsible for it. It is an extraordinary innovation that an amendment of this kind should be permitted. I do not think that it was originally intended to be of such a sweeping nature as it is, but if hon. gentlemen will compare it with the Railway Act they will see that its consequences are more far reaching than the hon. gentleman intended.

Hon. Mr. BOULTON—I have listened to the legal points raised with regard to this bill, and I desire to say a few words, because it is one of those bills which we are interested in in every part of the country. We are building railroads from one end of Canada to the other. Railroads are being multiplied and crossing farms to the inconvenience of the farmers themselves, so far as their individual interests are concerned. The general Railway Act was framed in 1888, and it is to be presumed that it was more supervised by the railway authorities themselves at that time than by the public at large, and that therefore the railway companies have been very well safe-guarded in the construction of that Act. As the years go by, and the demands of the population increase, then the people begin to find out for themselves that certain changes are desirable in the interests of the public at large. This bill, as I understand, has been framed by the hon. gentleman from Monck, and has been presented to the Senate on one or two occasions in the interests of the people in the municipalities along the railways, and who are directly affected by the construction of high grades or alterations of water courses, or anything with regard to their land. In that respect this bill presents itself to my mind as a very desirable one. I have listened to the hon. member from Westmoreland upon the first clause. I understand that clause to mean that any drains which are now in existence crossing the right of way of a railway, shall be maintained at the railway company's expense—that is to say, where they have built a culvert or where they have dug a ditch.

Hon. Sir MACKENZIE BOWELL—It does not say across the railway.

Hon. Mr. BOULTON—There can be no other drain.

Hon. Mr. O'DONOHUE—"Now in existence" will cover that most assuredly.

Hon. Mr. BOULTON—I take it for granted that this bill intends the railway company shall keep in repair, all structures which have been built for the purpose of releasing the water from the neighbouring land. That is to say, if they get filled up, it is not the municipality that must bear the expense of cleaning them out and keeping them to a proper level, to give a clear run to surface drainage, but the railway company itself must do it. That is a very fair obligation to put on the railway company. They have every facility for doing the work.

Hon. Mr. SCOTT—The railway companies are quite willing to do that.

Hon. Mr. BOULTON—They have all the facilities and means, and it is their duty to do it, and clause one has that reference and, as I understand it, has that meaning. I do not think there is any dubiousness about it. If section 14 of the Railway Act provides the railway companies are not to do it, then I say that section 14 should be amended. Our lands are being improved. I hope that the productive powers of the land will be increased and that we will do some under-draining. Progressive farmers want to under-drain their land, and when they do that it becomes necessary, of course, to deepen the ditches and water courses at present existing. As I understand it, this bill deals with that in this way, that if any farmer wants to drain his land, or increase the drainage of his land, then he goes to the municipality and the municipality takes the matter up, and negotiations are conducted between the municipality and the railway company or the government. It makes a stronger representation than if the individual himself were to go. The individual himself, if he is going to under-drain his farm, may not feel disposed to act if he is blocked by the big influence of a railway company. He puts it in the hands of the municipality and they say whether the drain shall be constructed or not. Then this bill provides that if it costs less than \$800, if the railway company receive any benefit to their line they shall pay a share of that \$800 to the extent that the benefit may accrue after going to a Board of Arbitrators. That is the

only thing the railway company is called upon to do under this bill, and if the railway company is benefitted, if arbitrators—a policy which we pursue with regard to expropriation of land—say that the railway company is benefitted to a certain extent, it is right that the railway company should bear that portion of the expense. A point was raised by the hon. gentleman from Westmoreland with regard to cities, and digging up roadways and all that kind of thing; that is perfectly safeguarded in this bill. If the city wants to dig a sewer under the railway grade, of course it is of no benefit to the railway, and if it is of no benefit to the railway, no money shall be paid by the company. Arbitrators will not give a penny if it is no benefit. If the railway companies say that the work is going to weaken the structure of the railway, then a dispute arises and that enables them to come to the Railway Committee of the Privy Council and the authority of the government is a perfect safeguard. It does not seem to me that the authority or influence of the government is in any way forfeited by this bill. It is merely a remedy to enable the people who live adjacent to the railroads to bring before the Railway Companies, or the government themselves, the necessity of drainage for the purpose of improving their farms and increasing their productive powers. It is never likely to be made use of by cities or towns.

Hon. Sir MACKENZIE BOWELL—I desire to say, on behalf of the government, in reply to the hon. member from Sarnia, that had the government deemed it necessary in the interests of the farmers, or any persons living alongside of the railways, or in the interests of the railways, that further facilities should be given to those living alongside of the railways to enable them to drain their land, the government would have introduced amendments to the present Railway Act. My hon. friend says that if amendments of this kind are to be made to the Act it should be by the government. I quite concur in his remarks, but that does not deprive independent members from introducing bills to amend the Railway or any other Act.

Hon. Mr. McCALLUM—Adopt my child and I will be satisfied.

Hon. Sir MACKENZIE BOWELL—There are many of us, perhaps, who are dif-

ferently situated to the hon. gentleman. They have children of their own sufficient to look after without adopting other people's. The government placed their opinion on record upon this question when it was before the House of Commons and when they rejected a bill somewhat similar in character—not altogether similar, because this is more guarded in its provisions than the one with which we dealt some few years ago.

Hon. Mr. McCALLUM—Do you mean the bill that I was the father of?

Hon. Sir MACKENZIE BOWELL—I said a bill of a somewhat similar character. I do not know that the hon. gentleman was the father of it.

Hon. Mr. McCALLUM—Was that the bill that I referred to introduced last year? I understood this was the same bill that passed the Senate twice and I say that it is the same bill exactly.

Hon. Sir MACKENZIE BOWELL—So much the worse for the bill. When it went before the Railway Committee of the House of Commons, it was rejected for this reason, it was considered unnecessary because section 14 of the Railway Act provides fully for drainage across railway tracks and for other purposes. That was the reason given for the rejection of the bill. The two bills which passed this House last year were also amended by the Railway Committee of the House of Commons, because a clause was added making all railways subject to the provisions and laws of the different provinces; and when the bill came back amended, the Senate did not object to the amendments which the House of Commons had made. I know my hon. friend from Monck is very sincere in this, as he is in everything else which he takes in hand, but my experience as a member of the Railway Committee of the Privy Council does not lead me to the conclusion at which my hon. friend has arrived. If this bill is placed on the Statute Book I hesitate not to say that it will be more expensive to the persons living alongside of the road and desiring to have a drain opened or a culvert built, than the present law provides for. There is a clause in this bill providing that if a dispute arises between the parties interested, that is, the party who desires the drain opened or the culvert built and the railway company, then you can appeal to the Railway

Committee of the Privy Council. Do we not all know that if a railway company thinks it would interfere in any way, either by imposing upon them additional pecuniary obligations or interfering with their railroads, that a dispute would arise? It is just as certain to arise and to throw the whole case before the Railway Committee of the Privy Council as a dispute or difficulty arising under any other circumstances. There is nothing in the present law or usages dealing with those questions to prevent the parties interested on both sides from coming to an amicable arrangement as to the construction of a drain either along or across the railway. There is no law to prevent that, but the moment a municipality would approach a railway company to insist upon a drain or culvert being built, a dispute would arise at once and you would have to do precisely what you do now. They would come at once to the Railway Committee of the Privy Council. What is the procedure? The railway company require certain concessions or rights in municipality. They apply to the municipality for those rights. The municipality objects. Then they appear before the Railway Committee of the Privy Council and when the case comes before them an engineer is sent at the expense of the country to investigate and report to the committee, and upon that, after hearing the arguments upon both side, a decision is rendered. If, on the contrary, a municipality desires to cross a railway on a level crossing or by an overhead bridge, or under a railway, the very moment they make that application there is nothing to prevent them—and it is often done—coming to a mutual arrangement as to the proportion of costs which each shall bear, and when that comes before the Railway Committee of the Privy Council, without any expense whatever further than the expense of coming here, if they agree the Railway Committee of the Privy Council confirms it and makes it law, and it becomes law under the statute. I do not know whether my honourable friend has taken this view of it or not, but I am as convinced from reading the bill with the right given to appeal to the Railway Committee of the Privy Council in cases of dispute that it will prove more troublesome and expensive than it is at the present moment. The law amply protects the farmer, and it protects to the

fullest possible extent, the railway company and the public generally. The government has no desire, I can assure my hon. friend opposite, to relieve itself of any responsibility in connection with such matters, and if a deliberative body of this kind think proper to differ from the government on questions of this nature, they take the responsibility, and not the government. I do not understand this first clause as my hon. friend from Marquette understands it. I think the exposition of that clause made by the hon. member from Westmoreland was so clear that his arguments are incontrovertible. My hon. friend from Marquette says that the clause is confined to drains crossing the railway, not to the drains which run alongside of it. This view of the clause is correct. Let me give an instance which occurs to me. Supposing a man has a farm, most of which is a swamp, and that it was in a state of nature when a railway was built, and that the owner of the land clears it up and applies to the railway authorities to allow him to have a ditch under the railway. That has to be done, under the present system, at his own expense. If, on the contrary, the railway company builds its embankments, or the roadbed, in such a way as to block the water on a property, then the ditches have to be made at the expense of the railway, and not at the expense of the owner of the property.

Hon. Mr. BOULTON—Subject to arbitration.

Hon. Sir MACKENZIE BOWELL—If they mutually agree to a large or small amount well and good; if not, it must be settled by other process. Supposing a large swamp existed when the railway was built and you subsequently clear your land and desire to drain, not across the track, but with the permission of the railway company into the drain alongside of the track, this bill, in a case of that kind, would compel the railway company to keep that ditch open and make all repairs necessary in order to drain the land that is benefitted and increased in value by the permission given to use the railway drain. There is another view which to my mind, has not been answered. Take the city of Ottawa. There are a number of drains and under-drains and there is sewerage existing in this city. We know the railways cross the most of these drains and water courses; hereafter, under

this bill, they must be maintained at the expense of the railway company. Is that fair? I do not think that that is the intention of my hon. friend who introduces this bill, yet anyone reading that clause who understands the construction of the English language, cannot put any other interpretation upon it. If it said "crossing the line" it might have been somewhat different. I am opposed to this bill for the simple reason that I do not think it is necessary in the interests of the farming community because the Railway Act has all the provisions necessary for the protection, both of the residents alongside of the road and of the railways themselves, and of the people generally; and also, which is of equal importance to my mind, I believe it will be much more expensive in working than it is under the present law. I have been a member of the Railway Committee of the Privy Council for many years, and I have never seen a case in which the people who appeared before it have not received ample justice. Do not understand me to say that railways do not fight and object if there is any possible expense attending the application. The fact that a man owns railway stock, or is a railway director, renders him equally and better able than others to judge of the effects of a bill which affects the corporation with which he is connected, because he must necessarily have given a great deal of attention to the working of the law, and I do not think that his personal interest in a railway, should be an objection to his expressing an opinion with respect to a bill of this kind. The Senate may pass it. I do not say that the House of Commons will reject it. That is a matter for them to deal with now, as they have with it in the past. I should like to see my hon. friend from Monck satisfied with some kind of a bill, but I am very much afraid that a bill of this character would have to be very materially amended before it could be accepted by the people generally.

The Senate divided on the amendment which was rejected by the following vote:

CONTENTS:

The Hon. Messrs.

Arsenault,	Macdonald (P.E.I.),
Baird,	MacInnes (Burlington),
Bowell (Sir Mackenzie),	Masson,
Casgrain,	Scott,
Desjardins,	Vidal,
Ferguson (P.E.I.),	Villeneuve,
Kirchhoffer,	Wood.—14.

NON-CONTENTS :

The Hon. Messrs.

Almon,	Macdonald (Victoria),
Angers,	McCallum,
Armand,	McClelland,
Bellerose,	McDonald (C.B.),
Bernier,	McInnes (N. Westm'st'r),
Bolduc,	McKindsey,
Boucherville, de	Merner,
Boulton,	O'Donohoe,
Clemow,	Pelletier,
Cochrane,	Perley,
De Blois,	Power,
Dever,	Prowse,
Dobson,	Reesor,
Landry,	Reid (Cariboo).—28.

The motion for the third reading of the bill was then carried on a division and the bill was read the third time and passed.

THIRD READING.

Bill (C), "An Act respecting female offenders in the province of New Brunswick." (Mr. Wood).

ADULTERATION OF FOOD BILL.

HOUSE IN COMMITTEE.

The House resolved itself into a committee of the whole on Bill (10), "An Act further to amend the Act respecting the Adulteration of Food, Drugs and Agricultural Fertilizers."

(In the Committee.)

Hon. Mr. FERGUSON—In moving the second reading of this bill I explained that there were some changes necessary to be made in it, and I now propose to substitute one or two clauses for clause one of the bill. The bill as framed, although perfectly good in principle, does not carry out the object aimed at in a proper manner. It does not properly fit in the Adulteration Act in the place in which it is proposed to insert it. Sections 14 to 21 of the Adulteration Act treat on adulterations. At the end of section 17, specific declarations of adulterations are given, and from section 18 to 21 there are general provisions relating to adulteration. Now it does not appear that the amendment that is proposed to be made in bill inserted after section 21, would be at all harmonious with the general construction of the Act. I propose, therefore, to insert a section in lieu of the one contained in the bill, after section 17.

Section 15 treats of the adulteration of milk, section 16 of the adulteration of vinegar and section 17 of alcoholic liquors. I propose that after 17 there should be a clause inserted providing for the adulteration of honey. The bill as it was presented to this house has some anomalies which we should take care to remove. By looking carefully into the bill it will be found that it constitutes the feeding to bees of sugar for the purpose of making honey as an article of food an adulteration which it no doubt is, but it goes further and provides that the exposing of sugar so that bees may use it is an adulteration. Now that certainly cannot be so. It may lead to adulteration, but it is not adulteration itself, any more than having an illicit still on ones premises is distillation. It is an offence to have a still there, but it is not distilling spirituous liquors. So I think this house will carry out the intention properly by defining what adulteration is, and if it is an offence to expose these substances so that bees may feed on them, that should be constituted a distinct offence. I will read the amendment which I propose to have inserted in the bill. Leave out from the word "section" where it occurs secondly, page one line six, and insert the following :—

"Honey shall be deemed to be adulterated with in the meaning of this Act if :

(a) It is made by bees fed on any saccharine or sweet substance other than such as bees gather from their natural sources of food.

(b) It contains any honey so made.

Second, (1) Everyone is guilty of an offence and liable on summary conviction to a penalty not exceeding \$, who with intent that any saccharine or sweet substance other than such as bees gather from their natural sources of food shall be used by bees to make honey.

This is the offence of exposing saccharine substances so that bees may use it, and it is constituted a separate offence.

(a.) Feeds bees therewith, or,

(b.) Exposes any such substance in such a way that bees may feed thereon.

(2.) It is not an offence to feed bees upon any form of sugar if they are so fed to preserve their lives in a case of scarcity of their natural food. The burden of proving that the feeding has been such is upon the person prosecuting.

"Everyone is guilty of an offence and liable on summary conviction to a penalty not exceeding \$ who manufactures, produces for sale, sells or offers for sale the commodity known as sugar honey, or any imitation of honey, or any substitute for honey resembling and likely to be mistaken for honey."

I may remark, having had considerable experience, that there is no worse form of adulteration, that is, of a class of adulteration that is not injurious to health. The Adulteration Act constitutes two kinds of adulterations, one which is injurious to health, and another where the injury is not to health, but where a very inferior article is produced. This is an instance of the latter kind. It is known to bee-keepers that sugar, or glucose, may be fed to bees in such a way as to produce comb honey which resembles the sweets that the bees extract from flowers; and that it can be put on the market and sold when it is not honey at all. Hon. gentlemen will understand very well that this is a form of adulteration which cannot easily be guarded against, because when the customers have bought the comb honey, beautifully fixed up and sealed by the bees themselves, they will not doubt that they are buying genuine honey though they are buying a different article altogether. The practice of feeding bees in such a way that they will use these inferior sweets, enables the bee-keepers to sell an inferior article and make a large profit. As has been explained already, there are several bee-keepers' associations in Canada, men who have a considerable amount of capital invested in bee-keeping and in supplying the bee-keeping industry. The industry is an important one, notwithstanding that it might almost appear at first blush that it was not so. The product of the honey-bee in Canada during the year 1890, the year in which the census was taken, was found to be of the value of \$800,000, and there is no reason in this country of ours, where we have such a diversity of flora of the very best kind, basswood, buckwheat and clover, and where the climate has proved to be adapted for the industry.—why we should not export honey, besides supplying the home market. Nothing will injure us in that respect so much as this adulteration if it is permitted. United States honey has already got a bad name, and is looked upon in the English market with great suspicion on account of this very thing. And it is important that we should strengthen the position of the honest industry in our own country by doing everything we can to prevent frauds being practised and an inferior article being palmed off on the consumers of the country in place of a delicious and useful article of food. In

moving this amendment, I would say that perhaps, after it had been further discussed, it might do no harm if the committee should rise and report progress. Although essentially these amendments reach the same object as was contemplated by the bill which came from the House of Commons, yet the phraseology and construction are very different from the original clause. I think it would be better, after the discussion, that the committee should rise and report progress, and the amendments would be printed in the proceedings of the House, and when we take it up again the hon. gentleman will be able to compare the amendments with the original clauses, and vote intelligently upon it.

Hon. Mr. POWER—Did I understand the hon. gentleman to say that he would move that the committee rise and report progress and ask leave to sit again?

Hon. Mr. FERGUSON—Yes.

Hon. Mr. POWER—Of course we cannot discuss the new clauses until we have them before us.

Hon. Mr. VIDAL, from the committee, reported that they had made some progress, and asked leave to sit again.

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, 3rd March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (38) "An Act respecting the Montreal and Ottawa Railway Company."—(Mr. MacInnes, Burlington.)

Bill (44) "An Act relating to the Board of Trade of the City of Toronto."—(Mr. McKindsey.)

Bill (49) "An Act respecting the Huron and Erie Loan and Savings Company."—(Mr. MacInnes, Burlington.)

Bill (43) "An Act to incorporate the Queenston Heights Bridge Company."—(Mr. McKindsey.)

Bill (H) "An Act further to amend the Railway Act."—Sir Mackenzie Bowell.

THE SENATORS' GALLERY OF THE HOUSE OF COMMONS.

Hon. Sir MACKENZIE BOWELL—I have no doubt that hon. members are anxious to go to the Commons gallery and hear the debate on the Remedial Bill, and I therefore move that the House do now adjourn.

Hon. Mr. MILLER—What is the use of going to the House of Commons? There is no accommodation for us there. For my part I would much like to hear such a debate as is going on this afternoon, but there seems to be no attention paid to our wishes and rights and no desire to give us fair accommodation in that House. Whose fault it is I am not prepared to say, but I think it is an extraordinary thing that the two speakers, the Speaker of this House and the Speaker of the House of Commons, cannot arrange the simple matter of accommodation and courtesy and justice towards this House.

The SPEAKER—I may say I have given instructions that a messenger should be sent there with instructions not to admit anyone but the Senators themselves.

Hon. Mr. CLEMOW—But do they carry out our instructions?

Hon. Mr. MILLER—No, no attempt is made to carry them out; they simply send a boy there. I think the Senate should make it a government matter to see that this House had its rights fairly respected in the House of Commons. The government should see to it. I know Sir Alexander Campbell used to take a decided interest in having this matter settled to the satisfaction of the Senate and gave his support to the speaker of the day—the same support which I received myself when I had the honour of occupying the position that you now hold. I have given over speaking about the matter. In early days I used to have occasion to speak on this subject in the House, but I have got tired of doing

it. I found there was no use talking on the subject. No matter what they said here, no matter what arrangements were made elsewhere, they amounted to nothing in the end and the same want of accommodation, the same utter disregard to order and to the rights of this House is the consequence of any negotiation that may take place. I say it is time the House should take this matter up and know if we are to be treated with the indignity and injustice that are accorded to us by the authorities who have control of this matter and can control it if they wish to do it. It is no wonder we are laughed at and scoffed at in the newspapers of the country, when we are treated with such indignity and contempt by the other branch of the legislature that our right to accommodation during the debates in that House are not given the slightest consideration.

Hon. Mr. DEBOUCHERVILLE—There is no doubt such a question has arisen in the past. We could not get any justice—at least we could not get any convenience for ourselves. There is only one way of getting justice there. If I am not mistaken the Speaker of the House of Commons is willing to give a certain part of the gallery for the Senate, and the only way we could arrange the matter would be to insist that nobody should be admitted there without a ticket. If you allow strangers to go into one part of the gallery, as they do now, they will go into our own gallery. You cannot help it. If anybody was allowed to go in without a ticket, each Senator having one ticket to give, or one for himself and one to give away—

Hon. Mr. CLEMOW—There would not be room.

Hon. Mr. DEBOUCHERVILLE—Then if any Senator had more than one to bring with him he might ask his friend to give him a ticket and they would be admitted.

Hon. Mr. DEVER—The Senators would more than fill the gallery. We have 78 Senators here.

Hon. Mr. REESOR—If there was only room in the Senators' gallery now reserved for them for about 25 or 30, how can the Senators get in when we number 60 or 70, particularly if they have an additional ticket for a friend?

Hon. Sir MACKENZIE BOWELL—This is a question which has been discussed repeatedly in this House, during the last three years that I have been here. I have made inquiries very often as to the reasons why accommodation had not been provided and why the accommodation that has been provided has been occupied by others. There are various reasons given for that. If there is only accommodation for 23 or 25 Senators and Senators go there with two or three ladies and insist upon their being admitted and occupying the seats—

Hon. Mr. MILLER—I have just been informed by an official of the House that two members of this House have gone this afternoon and filled up the whole front gallery with lady friends of theirs.

Hon. Sir MACKENZIE BOWELL—I was going to call attention to that. As long as that is done no charge of neglect of duty can be laid to the Speaker or those who have had the management of this affair in the past. I have heard of senators going to the door-keeper and when he objected to admit the parties (sometimes ladies) who accompanied them, he was told they were either their wives or daughters or friends, and they insisted upon their going in, stating to the door-keeper at the same time that as that place was set apart for the Senators they had a right to take whom they pleased there as long as they were friends. So long as that is carried on, the complaint of the hon. member for Richmond will continue to be made. We have to lay down one positive, absolute rule, and that is that no one be admitted to that gallery except he be a Senator, and the name should be given to the door-keeper with positive instructions not to admit anyone else. If that be the will and desire of the Senate, I have no objection to accompany the Speaker of this House to the Speaker of the House of Commons, who I am quite satisfied from what I know of him, will give such orders as will prevent the abuse that has taken place in the past. You have had a good illustration of it in what has just now been said. The whole part of the gallery set apart for the accommodation of Senators, many of whom desire to hear the important debate which is to take place this afternoon, is already filled and there is no accommodation for us. I have no doubt the rest of the galleries are

filled, and the result is you have no accommodation unless you crowd in among the others and probably not get a seat. I should like to have the opinion of the Senate expressed positively, so that no one can take offence if he is not permitted to take his wife or daughter or friends into the gallery.

Hon. Mr. DEBOUCHERVILLE—What about tickets?

Hon. Sir MACKENZIE BOWELL—Every senator would be known to the door-keeper, and if not, we could put a door-keeper of our own there.

Hon. Mr. MILLER—We wanted that and they would not allow it.

Hon. Sir MACKENZIE BOWELL—I think I could make arrangements to put someone at the door who knows every senator, and no one else would be allowed to come in; or we could bring tickets from the Speaker.

Hon. Mr. MILLER—There is another gallery just as good, on the other side, where the ladies could be taken.

Hon. Mr. SCOTT—In the last ten or fifteen years the senators' gallery has been reduced, so that now it will only hold from 23 to 25. At first it embraced a part of what is the Speaker's gallery, and then we had the space from that to the door. What I suggest is that we should have those two spaces—the space now allotted to senators and the space between that and the main entry. Let the space between what is called the senators' gallery proper and the door be allotted to senators, for the accommodation of friends of senators. That is the only way of solving the difficulty. So far as the senators' gallery itself is concerned, I entirely agree with the premier that there is only one way out of it, and that is an absolute rule forbidding any one going into it except members of the senate, but the other gallery certainly should be allotted to us to send in our daughters and wives and friends.

Hon. Mr. MILLER—If that is the unanimous desire of the House the Speaker will carry it out.

The SPEAKER—I desire to say that the Speaker of the House of Commons was kind

enough to give us the permission to put one of our own messengers there, and one of the messengers of the Senate is there now, but in spite of his efforts I am sure he cannot control the matter unless he has such positive orders as the House has decided to give just now. If I understand it aright the House decides that no one should be admitted except the Senators themselves. Is that the understanding?

Several hon. MEMBERS—Yes, yes.

Hon. Mr. MILLER—I know that two or three years ago a desire was expressed to have one of our own messengers there who could identify our Senators going to the gallery, but it was objected to by the Speaker of the House of Commons, that he could not tolerate any interference by an employe of this House. I am glad to find that they have receded from that position, because although we wanted a man there to identify our members, we did not wish to put an employe there to usurp any authority, but he could give information to the messenger of the other House, by which means our gallery could be kept free from intrusion.

Hon. Sir MACKENZIE BOWELL—I have just had a note placed in my hands from the serjeant-at-arms, who informs me that we have now one of our own men taking charge of the gallery and the gallery is full.

Hon. Mr. MILLER—We ought to discharge him.

Hon. Sir MACKENZIE BOWELL—I think it is the fault of the Senators themselves, who have insisted upon taking in the parties who are there, as I have indicated.

Hon. Mr. SCOTT—I hope it is understood that an application will be made to the Speaker to return to us the gallery to the south of the Senators' Gallery in order that we may issue tickets to that for our lady friends.

Hon. Mr. MILLER—But it should be understood that the small gallery is to be reserved expressly for Senators.

The motion was agreed to and the Senate adjourned.

THE SENATE.

Ottawa, Wednesday, 4th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

YUKON AND BRITISH COLUMBIA TRADING COMPANY'S BILL.

SECOND READING.

Hon. Mr. KIRCHHOFFER moved the second reading of Bill (E) "An Act respecting the Yukon and British Columbia Trading and Development Company of Canada, Limited."

Hon. Mr. MACDONALD (B.C.)—I have not seen this bill until the present moment and have not had an opportunity to examine it carefully, but in looking over it in a cursory way, I find that it has nothing to do with the Yukon country—that the Yukon is not referred to in the body of the bill. However, I am very glad to see that a Canadian company has been formed to try and develop the Yukon country which extends over an area of about 190,000 square miles and is known to be rich in gold and in furs. These are at present the only exports of that country. As you will see by the area, it is about 70,000 square miles larger than Great Britain and possesses vast resources. There are grasses there which will feed cattle a great part of the year, and it is asserted on good authority that it will grow the hardier cereals, such as barley, rye and oats and such roots as potatoes, turnips, etc. So that if the country is developed, it will in the course of time become of great importance. At present its trade is in the hands of United States traders, and I am very glad to see that this bill is brought forward by Canadians to secure the trade of that country for ourselves. Although we are always glad to have foreign capital invested in the country we would prefer to keep our money in the Dominion, and that could only be done by keeping the trade of the country in the hands of Canadians. My chief reason for calling attention to this matter is that at the present time there is no proper communication with the Upper Yukon. The chief means of access is by

Behring Sea to the mouth of the Yukon, and by ascending the Yukon to the Canadian border, Forty Mile Creek, and a rough trail from the coast of South Alaska, by which goods are packed to the Yukon by Indians. That is a very expensive route and it is open for only three months of the year, so that miners going in now have to pay very high prices for their supplies, and they have to leave very early in the winter to avoid being closed in. There is no communication after, I suppose, early in November from the Yukon country to the coast, and the miners are afraid of supplies being very dear, and that kind of thing, and have to leave very early. I do not know whether the attention of the government has been called to this matter. There is a canal called Lynn's Canal, in Alaska, the head waters of which are in British Columbia, and from the head waters of the canal to some of the lakes adjoining the Yukon is only 30 miles. If the government could help in opening that trail of 30 miles it would be a great benefit to the country, and I fancy the British Columbia Government would co-operate with the Dominion Government, and have it done. Then they could transport goods across this small portage, and on the lakes and rivers they could have local steamers of their own to carry the freight. There is another great drawback, and that is the absence of mail facilities. Of course that is sure to be the case where there is no communication, and no way of getting into the country. I hope the government will consider all these matters. I dare say our minister in the Cabinet will bring this to the attention of the government, and do all that he can to have this country opened up and developed.

Hon. Mr. BOULTON—Is the district you refer to in British Columbia?

Hon. Mr. MACDONALD (B.C.)—I believe it is. I believe the province extends right up to the Arctic Ocean, on the east side of the Rocky Mountains. Now there are several rivers running into the Yukon, all gold-bearing, the Pelly, the Liard and the Dease, all containing gold, more or less; so that anything which will help to open up this country and develop it will be a great benefit to Canada. Quite an amount is taken in customs duties in that country, although it is very young, and very un-comet-at-able at present. I trust that the govern-

ment will think over the matter when it is brought to their attention by the minister.

Hon. Mr. FERGUSON—I am sorry to say that my attention was called in another direction when the hon. gentleman was addressing the House, but I think I grasped the point he made and I will have very great pleasure in calling the attention of the government, and especially the Minister of the Interior, to his remarks.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, March 5th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

NEW SENATOR.

The Hon. David McKeen was introduced, and having taken the oath of office and subscribed the roll, took his place.

THE GUARD PIER AT MONTREAL.

MOTION.

Hon. Sir WILLIAM HINGSTON moved:—

That an humble Address be presented to His Excellency the Governor General; praying that His Excellency may be pleased to cause to be laid before the Senate, copies of all maps, reports, &c., regarding what has been styled the "Guard Pier," now in course of construction at Montreal; also, copies of all correspondence, petitions, resolutions, reports, protests and other papers regarding and in favour of, and opposed to, the said structure, and especially the views thereon expressed by the medical faculty of the city of Montreal, the Board of Health of the province of Quebec, and the Health Board of the city of Montreal.

He said; Montreal has hitherto enjoyed the priceless advantages of a rapidly running stream in front of the city. Millions and millions of cubic feet of purest water pass by it; but in 1891 a mud island began to appear above the surface of the river opposite Montreal, where the shipping craft is densest. Very little attention was paid to it at the

time. It was looked upon as something which would prevent the ice in spring from smashing down the buildings fronting on the harbour. The following year, the island increased in magnitude and became more unsightly. It never was a thing of beauty. It continued month after month, to extend upward, until, from being a few hundred feet in length, at last a few thousand feet of mud bank appeared along the river front. Then people began to get uneasy, and grumbling was heard. Those who were interested in health matters found, on inquiry, that the city had no power to deal with it—that everything beyond the river frontage was under the control of another body altogether—the Harbour Commissioners of Montreal. When it appeared that the bank was to extend a mile and a third, almost parallel with the docks within a few hundred feet of the river front—in some places 1,500 to 1,800 feet, and in one place only about 550 feet—until it meets the embankment at Pointe Ste. Charles, people became really alarmed, and with reason. I may say that the embankment at Pointe St. Charles projects about 1,500 feet into the river, and is used as the Grand Trunk Railway approach to the bridge, while the point itself adds about an equal number of feet—in all, in round figures, about 3,000 feet, and this mud-bank is intended, so says the report, to convert the whole river frontage into a still water basin or back water basin, as it is termed. About this time, several medical men of the city began to be interested, and in the Medico-Chirurgical Society the question was brought up, when three members were named to inquire into the matter. The members consisted of the president of the Medico-Chirurgical Society, Dr. Girdwood, Professor of chemistry, McGill University, one of the most competent men in the Dominion, and who had been, at one time, health officer of the city of Montreal; another had been president of the Board of Health many times; and the third was a professor of medicine in the University. Those gentlemen reported adversely to the scheme. Then the health authorities looked into the matter. The city Board of Health took it up, and I crave your indulgence while I read an extract from the report:

The guard pier, now in course of construction in the harbour of Montreal, I consider to be a menace to the public health.

So says the Health Officer of the City of Montreal, Dr. Laberge. The provincial Board of Health, whose function it is to look after the health of the people of the whole province, has spoken in very strong terms—in fact, in terms as strong as they can be made—in the same direction. But to quote from this report:

It is greatly to be regretted, that in the construction of the “guard pier” the sanitary interests of the city of Montreal have not been more closely looked into, and that, before commencing works of that kind, the sewerage system of the city has not been modified in such manner as to protect the harbour against all nuisance and danger which might result from these works.

Hon. gentlemen, when the citizens eventually saw that we were to be deprived of our rapidly running stream and of the advantages that accrue from it, and that it was going to be converted into a still water basin, they became alarmed. For my part I have given some attention to health matters and that is my reason for bringing this subject to your notice. I will say that placing the mud bank in front of our city was not hastily entered upon. It met with opposition in 1889. In that year the matter was submitted to the government here and to Mr. Page, and I think to Mr. Coste who reported adversely to it. I think the citizens of Montreal, who have any intelligent interest in health matters, are deeply indebted to the latter gentleman for the action he has since taken. Two years ago he desired that we should have at least a three thousand foot opening at the upper end of this bank so that the water could come in and wash away the sewage. Notwithstanding Mr. Coste's advice, that 3,000 feet opening was hurriedly closed up to 1,000 feet. It may possibly, unless some action is taken, be entirely closed the next season in conformity with the original plans of the Harbour authorities. It must be remembered that a large portion of the sewage of the city from Jacques Cartier Square up to Point St. Charles, inclusive, falls into this still water basin at two points, and I have noticed objects floating about for a week at a time, near the lower place of discharge. I may say that this guard pier and the frontage of the city would form two sides of the letter “U”, with the closed convexity upwards, with the two arms of the “U” downwards, so that from the stream in front, and from the river above, if this project is

carried out to its final conclusion, we would not get one drop of water to wash away the sewage from the city except what would come by the tail race from the Lachine Canal. Now, the water in the Lachine Canal is a very uncertain quantity. First of all: it is totally insufficient.

Hon. Mr. VILLENEUVE—Will the hon. gentleman permit me to interrupt him and tell him that the harbour commissioners, with the approbation of the engineer of the Public Works Department, have decided there should be an opening of 1000 feet from Victoria Bridge, and they have deepened the channel near the Victoria Bridge—they have taken away an old wharf that existed there during the construction of the Victoria Bridge, so that it will throw an immense quantity of water into this basin that the hon. member has mentioned.

Hon. Sir WM. HINGSTON—I was coming to that in a moment. I may say, in answer to the hon. gentleman, that the water coming down the St. Lawrence is sent out some 1,500 or 1,600 feet towards the south side by the projection of Point St. Charles alone, and when you come to add to that 1,400 feet of embankment, the water is sent out, with force, 3,000 feet from the shore. It is not going to come back in again and hug the river frontage. Practically speaking, with 3,000 feet, as we had it in the beginning of the year, the water did not come in in that way, and there is a report from the sanitary engineer of the Provincial Board of Health in which he says that whereas the buoys in the harbour, before this guard pier was constructed, were almost horizontal from the rapidity of the stream, now they are vertical. If the water came in now, as it did before, these buoys would be horizontal, or nearly horizontal, as they were originally. As the hon. gentleman has just stated, an excavation has been made to deepen the channel; the old wharf has been removed to permit the water to enter, but, as I said, and for the reasons I stated, the water does not enter, and in the middle of summer, when the water is low, little or no water comes in. At high water the water will overflow in any direction. But I am told we are getting sufficient water from the Lachine Canal.—the tail race in the Lachine Canal. As I said, that is a very uncertain quantity at best, and there are

seasons of the year when the Lachine Canal is closed. It is closed nearly a month every spring for repairs. It was closed I think something like a couple of months when the new bridge was being constructed across it at Wellington St; and it is liable to a break at any time, and then the canal will be emptied, and we will have no running water to wash away the sewage from a large and steadily increasing city, like Montreal. Here is what I contend: we have had the inestimable blessing of a rapid stream flowing in front of our city. We are now to have one hundred and one acres of still water instead; and I wish the hon. gentleman would bear in mind that it is according to the report of the engineer of the harbour of Montreal himself who has converted, or is about to convert the living stream into one hundred and one acres of a still water basin. I need add nothing to that.

Hon. Mr. OWENS—If the hon. gentleman from Rougemont would take communication of the latest plans that have been made by the engineer and approved of by the Harbour Commissioners of Montreal, I think he will find that all due precaution has been taken to obviate the trouble he anticipates in connection with this basin. There is an opening of 1,000 feet at the head of the basin and the channel has been deepened sufficiently to allow water to come in. Opposite the city of Montreal there is a current running at the rate of ten miles an hour, and the hon. gentleman can quite understand that with an opening of 1,000 feet at the head of the dam, it will necessarily cause the water to flow in rapidly and will no doubt keep the basin clear. I think the latest plans that have been submitted will make that satisfactory.

Hon. Mr. OGILVIE—I think the hon. gentleman from Rougemont made a slight mistake when he stated first that the water will be thrown out by Point St. Charles about 3,000 feet and then about 1,500 feet more by the mud bank.

Hon. Sir WM. HINGSTON—Three thousand feet altogether—1,400 feet and 1,600 feet.

Hon. Mr. OGILVIE—I think if he will look it over again, he will find that the Point St. Charles is out almost in a direct

line with the guard pier; but when the maps come here, we will be able to see that. The intention of the harbour commissioners anyway is—and they are doing it—to excavate opposite this 3,000 feet, and if they excavate there, no matter where the current is thrown, the water will follow the lowest place, and flow in without doubt; and then as to the canal—it is usually stopped from two to three weeks every year. I have reason to know that pretty well, having worked upon it forty years, and there is hardly any time it is ever kept closed as long as six weeks, excepting the time in the winter when they were excavating the cutting up at Lachine. Apart from that, it is kept closed two or three weeks every year; and when the city of Montreal is getting a splendid guard pier, which is going to make our harbour what it never was, I think it is the business of the taxpayers of Montreal to do as other cities have done, namely, to turn the main sewer down to Hochelaga, where they will get current enough to carry anything away, no matter what it is.

Hon. Mr. DESJARDINS—We must be thankful to the hon. gentleman from Rougemont, so eminent an authority in health matters, for having brought up the important question of the extent to which the works which are now in progress in front of the city of Montreal are going to interfere in any way with the public health. Perhaps hon. gentlemen will remember that on several occasions I have myself brought up questions of those works for the consideration of this hon. House, but it was in another direction. I thought that there was a great objection to contracting the harbour to such an extent in front of the city of Montreal and that inconvenience might be the result of it. As against that, we have reports of different engineers both of the city of Montreal and of the harbour commissioners. But whatever inconvenience might arise from those works, we can judge now, because if completed only to the point suggested by the engineer of the Public Works Department it will leave an opening of only 1,000 feet. During last summer, people on ships complained about the smell arising from the water. It was found then there was not quite enough flowing in through the opening left near Victoria Bridge from the river, nor from the Lachine Canal. It is true last summer the water was exceptionally low

in the St. Lawrence, as you are all aware. The government have taken that matter into consideration, and have called the attention of the harbour commissioners when they came to ask the government to help them with their financial arrangements, and I understand that it was agreed then and fully decided that hereafter the commissioners would follow the advice given by Mr. Coste and the other engineer appointed by the government to investigate into the working of those improvements. The government, I am sure, will be quite pleased to bring any of the papers which have not been brought already before the House as soon as possible. I have no doubt, when the remarks made by such an important authority as the hon. member on a question of public health will be considered by the commission, that they will take care that any of those inconveniences which the hon. gentleman has referred to will, as far as possible, be removed.

Hon. Sir WM. HINGSTON—In reply to the hon. gentleman from deSalaberry, I would just say that if an opening of 3,000 feet was found to be insufficient last summer, what will it be when it is reduced to 1,000 feet? The condition of matters in a few words is mentioned here by the officer of the Provincial Board of Health. It says:—

Before the construction of the guard pier in the middle of the river the current of the St. Lawrence, which was then very strong and ran down rapidly near the wharfs, used to remove and change continually the water of the stream, but now, since the construction of that guard pier, the force of the stream is kept outside of it.

I may say that the water which comes in at that 1,000 feet opening does not hug, as it did before, the wharf frontage of Montreal, but it hugs the guard pier 1,200 or 1,500 feet out. The report in question mentions this:—

But now, since the construction of that guard pier, the force of the stream is kept outside of it and the waters inside of it run so slowly that they are nearly still—

This was written when the opening was 3,000 feet.

—and as a consequence the water of the basin remains stagnant. So still have the waters in that section become that the buoys in that section are upright instead of being nearly horizontal as they were before.

With reference to what fell from the hon. gentleman from Hochelaga I should be very glad if the sewage of the city should be diverted several hundred feet lower down or further out so that it would reach beyond the guard pier, although engineers are beginning to complain that navigation below the city of Montreal is now, and is likely to become still more affected by what will be washed away from the guard pier by every movement of a passing tug or steamer. But that is not the subject I am considering. I am not so bold as to enter into the question of engineering at all. All I contend is this, that whereas we had our rapidly flowing stream of pure water, with all its power for good, we are now to have, according to the statement of the engineer of the Harbour of Montreal, a still or back water basin into which a large portion of the sewage of the city at the present time enters. This is a question of the city's health. It is a question of public health. With regard to what fell from the hon. gentleman from Alma as to the closing of the canal, I may say I have known it to be closed for two or three months at a time, and every spring it is closed for from three to four weeks. Let that time be but a fortnight or twenty days, it would be important, and supposing an accident to occur to the Lachine Canal in the middle of summer, requiring it to be emptied, an epidemic of typhoid fever would not unlikely be the result. As it is now, during the last summer, with two or three thousand feet of an opening, at some places along the quay the stench was such that men discharging vessels could not continue at their work, and this, too, at Montreal, one of the most favourably situated, naturally, of all our Canadian cities.

The motion was agreed to.

MILITIA DEFENCE ON THE PACIFIC COAST.

INQUIRY.

Hon. Mr. McINNES rose to—

Call the attention of the Senate to the fact that there is no rifle or artillery company at present in Nanaimo, in many respects the most important port on the Pacific Coast, and asked if it is the intention of the government to at once take the necessary steps to have a military company formed, and to put a sufficient sum in the Supplementary Estimates to build a suitable drill hall in the city of Nanaimo?

He said: Until three years ago the city of Nanaimo had a very good and efficient rifle company, which company contained some of the best rifle shots probably in the Dominion of Canada. I understand the reason why it was disbanded was owing to the strong views held by the late Major General Herbert, commanding the militia of Canada, who considered that in the Pacific Province there should be no rifle companies, but that they should be all artillery companies. Whether that statement is correct or not, I draw the attention of the House to the fact that at the present time there is no military organization of any kind in the city of Nanaimo, although I believe several efforts have been made to reorganize the old one. For what reason they have not been successful, I am not prepared to say at the present time. I may mention in connection with this motion that the electoral district of Vancouver, which comprises nearly the whole Island of Vancouver and the adjacent islands with the exception of the city of Victoria and a few miles surrounding the city—contains all the productive coal mines of the province, and with the exception of the Union mines, which are situated in the northern portion of that district, all the mines are in or in the immediate vicinity of the city of Nanaimo, from which place nearly all the coal is shipped to the different portions of the province and most of the Pacific coast in the United States. Owing to the superior quality of that coal, it has forced its way, notwithstanding the heavy duty it has to meet entering into the United States, into every port on the Pacific Coast and I am credibly informed that the mines pay handsome dividends to the different companies that are engaged in that important and profitable industry. I may also state that the navy, the Canadian Pacific Railway Steamship lines, the Canadian-Australian Steamship line, and in fact nearly all the important steamship companies get all their coal in or from Nanaimo. I draw the attention of the House to the fact that in the event of any complication with Russia, or any other foreign power, it would be of the greatest importance to have the coal shipping port of Nanaimo protected, not only by the navy, but also by a large and efficient local military force. The importance of protecting our coal supply cannot be over estimated. There are three places in the Pacific Province that, in my judgment,

ought to be protected at any cost and made as impregnable as possible, namely, Esquimalt, Nanaimo and Vancouver, the western terminus of the Canadian Pacific Railway. The city of Nanaimo itself, it is true, is not a very large place. It has a population of over 6000 inhabitants and in all probability will grow much faster in the near future than it has in the past. Within a radius of six or seven miles of the city itself, we have a population of 12,000, and all the productive coal mines are within that area. In that population, composed very largely of hardy and intelligent coal miners, you will find as good material out of which to form an efficient militia organization as is to be found anywhere in this or any other country. I may also state that if this company is formed—and I have every reason to believe that it will be, from the patriotic spirit that has actuated our worthy premier and the Minister of Militia, who has a seat in this House—immediate steps will be taken towards establishing a military organization there, and when that is done I hope we will see that a suitable drill hall is erected to enable the volunteers to drill and to store away their rifles, their clothing and munitions of war. I hope the hon. Minister of Militia will take this into his favourable consideration and not only promise to have it done, and that at an early date, but see that it is done, and the best evidence he can give that it will be done is to place a sufficient sum in the supplementary estimates for that purpose.

Hon. Mr. MACDONALD (B.C.)—As far as the hon. gentleman has gone in his speech about the province, I think he is perfectly right, but as a good general he should have gone further than the city of Nanaimo. When the hon. premier visited our province he travelled as far as Seymour Narrows and that is one of the back doors by which an enemy could enter British Columbia. If that door were closed with a battery, you could cut off all communication that way. Then, at the south end of Vancouver Island, on the Straits of San Juan de Fuca, is the other door. Fortify that and you close both doors and protect not only Nanaimo and Vancouver, but all the inhabited coast of British Columbia. That is a most important thing to do in a case of war with Russia—to guard these two communications, one by the Straits

of Fuca at Victoria, and on the east side at Seymour Narrows, which the premier knows about, which is about two miles wide, and by having a strong battery there you could keep out any enemy and any number of ships, and with those two avenues closed Vancouver, Nanaimo and all the other settled parts of the country would be protected.

Hon. Sir MACKENZIE BOWELL—The subject brought under the notice of the Senate by the hon. gentleman from New Westminster and the remarks made by the hon. member from Victoria are, as we all know, of a very important and grave character. Military organization in all countries is an important duty devolving upon the administration. We all know that the events that have transpired within the last two months have induced the government to ask Parliament for a loan of some \$3,000,000. for the purpose of arming the volunteer force and to put the country in as efficient a state of defence as that amount will enable them to accomplish. With reference to the particular point to which the hon. gentleman has called the attention of the House, Nanaimo, I might inform him that there has been a company of volunteers there and that it was abandoned on the recommendation of the Major General for the reason that the Commander, or Captain, of the company had removed to the United States, and still further, on inquiries being made, it was found that the principal reason why it has not been reorganized is the fact that they could not obtain a gentleman who was prepared to take the responsibilities attending the organization and management of any company. Perhaps the hon. gentleman from British Columbia will be better able than I am to form an opinion and to give information on that point. The question to which he has called the attention of the House has not been overlooked by the department or by the government, and every step will be taken that they deem most advisable for the purposes of accomplishing the object the hon. gentleman has in view. Speaking as a layman, not as a military man, although I have had some little volunteer experience, I cannot fail to recognize the force of the remarks of the hon. gentleman from Victoria with reference to the battery at Seymour Narrows, which is a place very difficult of navigation at most times. I

have seen steamers stick in the current and remain there in a state of vibration for more than half an hour before they could move on. They have to take special periods of the tide in order to navigate with safety, but there are vessels of sufficient strength to overcome the tide at all periods. A fortification at the other point on the Straits of Fuca is necessary, as indicated by that hon. gentleman. We all know that a large amount of money is now being spent jointly by the Imperial Government and by the Canadian Government at Esquimaux, and the defences there are such as to, not only justify the expenditure, but to lead anyone, even a layman who has not had much experience, to the conclusion that they are constructing very strong works and everything necessary to protect Victoria and the important harbour of Esquimaux. It is all done, I may inform the House, under the immediate supervision of Imperial engineers. The arrangement was made while I had the honour of being Minister of Militia, and has been ably carried out by those who succeeded me in that office. I can assure the hon. gentleman and the House that the government have not lost sight of the important subject which he has brought under our notice, and that everything will be done to accomplish the object he has in view. As to whether a sum will be put in the estimates, the only answer I can give is that the estimates will have to speak for themselves. We never indicate, before the estimates are submitted, what will or what will not be there. It may be decided to-day to place an item in the estimates for any particular purpose, and before the estimates are submitted something may transpire which would render it unadvisable to make the appropriation; and, on the contrary, estimates may be made and may be put before the House, and something may occur which would justify an addition to the sum. While this is the usual way of attempting to extract from the government information as to their policy on any question, I can only give the same answer that I have always given under such circumstances—when the estimates come down, they will speak for themselves.

Hon. Mr. MACDONALD (B.C.)—Can the premier say whether the Imperial Government's attention has ever been called to the Seymour Narrows?

Hon. Sir MACKENZIE BOWELL—I could not answer definitely at this moment. I should suppose it was, from the fact that there was a party from the flag ship stationed there last fall when I passed up and down, making a record of the movements and effects of the tides at different periods of each day and at different periods of the year. That of course might be only for purposes of navigation, but from the knowledge that we have of the minuteness with which the war office at home (or rather the intelligence office, which is a part of the war office) is carried on, I think we can fairly come to the conclusion that they had both objects in view when they sent their men there to make the observations.

Hon. Mr. McINNES (B.C.)—I might add a further reason to strengthen the view expressed by the hon. leader of the government. The war ships have during this last year taken up their target practice off the harbour of Comox, and near Seymour Narrows, and I heard it indirectly from one of the officers himself that it was their intention to have some fortifications built at Seymour Narrows, and at no distant date. I think they are fully aware of the necessity of guarding that northern door to the Gulf of Georgia as well as the southern one.

THE DRILL HALL AT NEW WESTMINSTER.

INQUIRY.

Hon. Mr. McINNES (B.C.) rose to—

Call the attention of the Senate to the incomplete condition of the new drill hall in New Westminster, B.C., which is about to be handed over to the commanding officer, Lieut. Clinton, No. 4 Company, 5th Regiment, Royal Artillery, and asked if it is the intention of the government to place in the Supplementary Estimates a sufficient sum to have the building properly heated and lighted, and a paid caretaker appointed forthwith?

He said: My reason for drawing the attention of the House to this matter is that a new drill hall has been built at an expense of some \$8,000 or \$10,000. This new drill hall is on one of the public squares of the city of New Westminster, a considerable distance away from any other building, and the Deputy Adjutant General, I understand, is pressing upon Lieut.-Col. Clinton to take it over. It is not furnished with any means by which it can be heated, neither is it lighted by gas or electricity, and

it would be very wrong indeed to have that building taken over and the munitions of war that there are in the old drill hall placed in it without any means of heating or drying the air. As many of you know, the climate on the coast of British Columbia is exceedingly moist, and rifles and stores and other perishable material will very soon suffer if the very best possible care is not taken of them. The best precaution that can be taken is to have the air dried by some means or other. Apart from that, there is a very considerably supply of munitions of war up there, and I claim it would be improper to place them in that new structure at a considerable distance away from any other building for fear of the place being entered and the military stores stolen. The present caretaker of the old drill hall, Mr. Leslie, I understand has been offered by the government here the privilege of dwelling in the new drill hall, rent free, but with no remuneration. Now I claim that a caretaker to look after the stores that will be in that building ought to be paid a decent salary as well as given the privilege of living in the building. I may mention in this connection that even in Victoria the caretaker, Mr. Ireland, of the new building that has been erected there in connection with the drill hall, that has cost, I forget now what sum of money, gets only \$40 a month and lives in a coop in the rear, a little bit of a shack not fit for any human being to live in. That is all the remuneration he gets. I am very sorry that when they were building that store house they did not add a few more feet to it by which ample room would be given for the caretaker's residence. It would have cost only two or three hundred dollars more. He would have a greater supervision over the contents of that building than he can possibly have at the present time. Another thing—although it is not immediately connected with the subject of which I have given notice—I want to call the attention of the Minister of Militia to this fact, that the stone foundation of that building which has just been handed over in Victoria, the store-room, is over one foot under ground. The plans were not made here, it is true, they were made by the local engineer, Mr. Gamble. A more useless or unsuitable building for that purpose, I venture to say, was never built there or anywhere else. If any place ought to be kept perfectly dry, it is a place where guns, rifles, and munitions of

war of every description are stored, and so conscious were they of the fact that they made a mistake, and after the completion of the buildings they had to take away about fifteen inches of the earth and then build huge drains all around it and put in broken stone. I merely call the attention of the minister to that condition of affairs and if he can see his way clear towards increasing the Victoria caretaker's salary by ten or fifteen dollars, per month he will be doing nothing but what is his duty.

Hon. Mr. DESJARDINS—In answer to the question put by the hon. member for New Westminster, I wish to state that the building of which he has been speaking has not yet been taken over by the Militia Department, so that the final arrangements for heating and lighting have not been completed so far, but we are looking to that, and if it should be decided that any munitions of war should be placed there, it will be put in such a condition that they will not be affected by climatic conditions or moisture. So far as the caretaker is concerned, it is not necessary to appoint one to take charge of a company drill shed, but there is an allowance of \$80 per annum to provide for that matter—it is not the small amount the hon. gentleman mentioned. There is an allowance of \$80 per annum granted for that purpose. With regard to the other building which the hon. gentleman has mentioned, I think they must have been put in either under the care of the engineer at Victoria—

Hon. Mr. McINNES (B.C.)—Yes, he made plans and all.

Hon. Mr. DESJARDINS—Or under the control of the Department of Public Works.

Hon. Mr. McINNES—I am not sure.

Hon. Mr. DESJARDINS—But at any rate, if there is any defect in the building I shall call the attention of the Minister of Public Works to the fact and see if any remedy can be found. I think that covers the question put by the hon. gentleman.

Hon. Mr. McINNES (B.C.)—I understand then the necessary sum will be placed in the estimates for the purpose I have indicated?

Hon. Mr. DESJARDINS—The building has not been taken over by the Militia Department, and the final arrangements for lighting and heating are not yet completed, but it is in contemplation just now.

THIRD READINGS.

Bill (34) "An Act to consolidate and amend certain Acts relating to the Nipissing and James Bay Railway Company."—(Mr. MacInnes, Burlington.)

Bill (30) "An Act respecting the Guelph Junction Railway Company."—(Mr. MacInnes, Burlington.)

Bill (40) "An Act respecting the South Ontario Pacific Railway Company."—(Mr. MacInnes, Burlington.)

Bill (41) "An Act respecting the Lake Erie and Detroit River Railway Company."—(Mr. MacInnes, Burlington.)

Bill (39) "An Act respecting the St. Lawrence and Adirondack Railway Company."—(Mr. Baker.)

Bill (37) "An Act to confirm a certain lease and agreement between the Grand Trunk Railway Company of Canada and the St. Lawrence and Adirondack Railway Company."—(Mr. Vidal.)

Bill (26) "An Act respecting the Nelson and Fort Sheppard Railway Company."—(Mr. Reid, Cariboo.)

Bill (17) "An Act respecting the Brandon and South-western Railway Company."—(Mr. Perley.)

Bill (27) "An Act respecting the Lindsay, Bobcaygeon and Pontypool Railway Company."—(Mr. Dobson.)

MONTREAL AND OTTAWA RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. MacINNES (Burlington) moved the second reading of Bill (38): "An Act respecting the Montreal and Ottawa Railway Company." He said: This bill is to extend the time for the construction of the railway. I believe an understanding has been arrived at between the company and some of the municipalities through which the line passes. All the details of the bill can be explained when it comes before the

Committee on Railways, Telegraphs and Harbours.

Hon. Mr. CLEMON—Before that bill is read the second time, I may observe that this matter has been before the Senate on several occasions, and this Railway Company's Act has been amended time and again.

Hon. Mr. MacINNES (Burlington)—How often?

Hon. Mr. CLEMON—Several times. The last time it contained a similar provision to that in the present bill. They were to spend \$100,000 last year, for the purpose of building the road to the village of Alfred. They did not spend a dollar. The fact is, in my opinion, they did not want to build that line at all. Some years ago this road was in the hands of a company who constructed a line to Rigaud, and by some means or other the Canadian Pacific Railway Company, by arrangement with the contractor or the company, got possession of the road, and from that time to the present they have not complied with the conditions imposed upon them, and, unless there is some better security than is offered in this bill, the extended time should not be given to them. There is another company prepared to carry on this work if an opportunity is offered them to do so. It is a line of great importance to that section of the country, and it is the shortest possible route from Ottawa to Montreal. It is wrong that such a line should be kept unfinished from year to year merely to satisfy the Canadian Pacific Railway. It is true, a few parties from Alfred and L'Orignal and other places were here the other day, and they sanctioned the terms contained in this bill, but we require some further assurance that that twenty-three miles will be built before the 1st of December next, or allow other parties to get the charter and build the road if the Canadian Pacific Railway fail to do so. They have failed in the past and unless we have some satisfactory assurance that they mean business I do not think the House should extend the time. As I have said, it is a road of vital importance to the locality through which it passes, and it will save eleven or twelve miles between Ottawa and Montreal. It passes through a section of the country

where there is no railway communication and it is of the utmost importance that the line should be constructed, particularly when other parties are willing to take it up if the Canadian Pacific Railway Company drop it. They say now that they want four years to complete the road though they are willing to build twenty-three miles this year and only forty-seven would then remain to be constructed. I think they should be compelled to complete that twenty-three miles by the 1st of December next and failing that they should forfeit their charter and let other people make arrangements to build the road. I was present at the time when the last arrangement was made two or three years ago, and we were assured then that the Canadian Pacific Railway Company intended in good faith to proceed with the road. They say now that financial difficulties of one kind and another interfered with their operations. I do not believe that the Canadian Pacific Railway Company, ever had financial difficulties that would prevent them from building twenty-three miles of road over a level country. I do not intend now to move the six months hoist, as I might do, but I certainly shall have the matter well ventilated in the committee, and shall do all I can to have such a guarantee afforded that the people will feel satisfied that this is the last time that an extension will be sought for and that if the Canadian Pacific Railway Company do not build that twenty-three miles this year, other parties will be allowed to take up the enterprise. The road is practicable and deserves every encouragement from the country. It is wrong to leave it dangling in the way it has been for a great many years. If the Grand Trunk Railway Company had been allowed to build that road it would have been a valuable line to their system. However they came to that arrangement among themselves and I have nothing to say about that, but I want the road built and no further extension of time granted unless we have a satisfactory guarantee that the line will be constructed this year.

Hon. Mr. McMILLAN—I think the best proof we have that the very localities through which this road is to pass are willing to wait is the fact that they had a deputation here the other day and were quite willing to have this bill pass. Before we support the

hon. gentleman's ideas he ought to give us the name of the company that will undertake to build this road. The line has been chartered for the last 15 or 20 years.

Hon. Mr. SCOTT—For 40 years; it is one of the oldest charters in Canada, the Vaudreuil and Ottawa.

Hon. Mr. McMILLAN—Let us have the name of that company, and then we will be able to take up any proposal that may be made for the purpose of building this road. I know the construction of the line has been delayed too long, and if the hon. gentleman can give us any guarantee that there is a company ready to proceed with the construction we will support his ideas.

Hon. Mr. CLEMOW—All I can say is the guarantee in the past has not been carried out, and I think that is quite sufficient. If they do not go on with the work on this occasion they should lose all rights and privileges under their Act.

Hon. Mr. McDONALD (P. E. I.)—It is evident from this discussion, and from the number of railway bills that we have had here proposing extensions of time to various companies, that the Senate is too ready in granting such extensions. When we hear it stated by an hon. gentleman that this bill proposes to extend the time for the construction of a line in the vicinity of the capital of the Dominion, which has been under consideration, and for which Acts have been passed for the last forty years, I think it is asking a good deal from this House that we should further extend that time.

Hon. Mr. McMILLAN—The Canadian Pacific Railway Company have not had it forty years.

Hon. Mr. McDONALD—That may be very true, but we are extending the time again after having extended it but a very short period before now. It is evident to me that those various bills that are brought before the House should be discussed, not only by the Railway Committee, but fully discussed in the body of the House itself, and then we would understand the position which all these companies stand in with respect to the roads which they have undertaken to build. It is a great mistake to be continually extending the periods for which the bills to

enable those roads to be constructed in the first place were passed. If a company undertakes to build a road in even three or five years, which is the time generally allotted under one of these railway bills, there should be some good and sufficient reason shown why that time should be extended by an additional bill. In the case which is now under consideration, it appears that this road is one that is of considerable importance and benefit. It may be that in this instance there are good reasons for extending the time, and I do not know that there is any special reason for opposing this bill on the present occasion.

The motion was agreed to and the bill was read the second time.

TORONTO BOARD OF TRADE BILL.

SECOND READING.

Hon. Mr. McKINDSEY moved the second reading of Bill (44) "An Act relating to the Board of Trade of the city of Toronto."

He said: The Board of Trade of the city of Toronto was incorporated by statute in 1886, with power to create a gratuity fund. That fund was limited to a maximum of \$40 per annum. It has been discovered, in working out the scheme, that \$40 is not sufficient to make it satisfactory to members of that board. The object of this present bill is to enable the board of Trade to increase that amount to new members in order to establish a new principle, and there is provision also that old members of the association may come voluntarily into the same position. You can quite understand that an annuity fixed at the sum of \$40 paid by the members would scarcely be sufficient, and they have asked to increase that amount.

Hon. Mr. McMILLAN—It is not obligatory?

Hon. Mr. McKINDSEY—No. It is subject to the same statute governing by-laws for the regulation of the funds. One can see easily that a scheme of that kind, at a fixed sum, can scarcely be satisfactory to all the members, because members of the Board of Trade often get their seats at sixty or seventy years of age, and they must have some principle whereby younger members

may get the advantages which would be reasonable and fair. They ask this amendment and they bind themselves to the same restriction as to passing by-laws to regulate it which were in the act of incorporation.

The motion was agreed to and the bill was read the second time.

HURON AND ERIE LOAN AND SAVINGS COMPANY'S BILL.

SECOND READING.

Hon. Mr. MACINNES (Burlington) moved the second reading of Bill (49) "An Act respecting the Huron and Erie Loan and Savings Company." He said: The object of this bill is stated in the first clause. It is to consolidate the borrowing powers of the company. There are no new powers.

The motion was agreed to and the bill was read the second time.

QUEENSTON HEIGHTS BRIDGE COMPANY'S BILL.

SECOND READING.

Hon. Mr. McKINDSEY moved the second reading of Bill (43) "An Act to incorporate the Queenston Heights Bridge Company." He said: This is a bill to incorporate a company to build a bridge over the Niagara, between Queenston and Lewiston. It is intended, I believe, for the purpose of traffic by passengers and vehicles, and more especially for electric railway purposes. The intention, I think, is to connect the two systems of electric railway running from Queenston Heights to Niagara Falls, in order to make a belt line so that tourists can take this railway on either side of the river and make the circuit, so as to see the sights on both sides. Everything that is to be done will be subject to the approval of the Railway Committee of the Privy Council, and every care will be taken for the protection of the public interests.

The motion was agreed to, and the bill was read the second time.

The Senate then adjourned.

THE SENATE.

Ottawa, Friday, March 6th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

SUPREME AND EXCHEQUER
COURTS ACT AMENDMENT
BILL.

FIRST READING.

Hon. Sir MACKENZIE BOWELL introduced Bill (I) "An Act further to amend the Supreme and Exchequer Courts Act." He said: The provisions of this bill are very simple. It provides for giving the title of Chief Justice of Canada to the Chief Justice of the Supreme Court, as a distinguishing mark, there being a number of other chief justices of supreme courts in the provinces. The second provision is to enable a court to be held for the hearing of cases four constituting a quorum instead of five as at present. Difficulties have arisen from the fact that a number of judges have been interested as counsel or lawyers in many of the cases which come before the Supreme Court; but this reduction of quorum can only be legal with the consent of the parties who have cases before the court.

Hon. Mr. PELLETIER—Do I understand that the reduced quorum will only be legal with the consent of the parties?

Hon. Sir MACKENZIE BOWELL—Yes, only with the consent of the parties—the litigants.

The bill was read the first time.

REVISION OF THE STATUTES BILL.

FIRST READING.

Hon. Sir MACKENZIE BOWELL introduced Bill (J) "An Act respecting the Revision of the Statutes." He said: This is to enable the government to appoint three commissioners for the purpose of revising the statutes from the time of the former revision.

The bill was read the first time.

THIRD READING.

Bill (29) "An Act to amend the Act incorporating the Supreme Court of the Independent Order of Foresters."—(Mr. Clemow.)

SECOND READING.

Bill (G) "An Act respecting the Rocky Mountain Railway and Coal Company."—(Mr. Loughheed.)

CANADIAN HISTORICAL EXHIBITION BILL.

SECOND READING.

Hon. Mr. MacINNES (Burlington) moved the second reading of Bill (F) "An Act respecting the Canadian Historical Exhibition." He said: I believe the objects of this bill commend themselves to this House as well as to all Canadians outside. The object is to create and intensify the interest already existing in the minds of Canadians concerning the history of their country. Canada has a most interesting history, as recorded in Parkman's fascinating works. The heroic deeds of the ancient French explorers are there recorded. We have now a historian of our own, Dr. Kingsford, who has written a most painstaking and meritorious history, bringing the history of Canada down to the war of 1812-14, when English and French fought shoulder to shoulder in defence of our common country. If the House has no objection to the principle of the bill, I move that it be read a second time and that it be referred to a Committee of the Whole this day week.

Hon. Mr. POWER—I do not propose, hon. gentlemen, to oppose the bill, but there are one or two features about it which I think deserve a little notice. The hon. gentleman appears to have settled, to his own satisfaction at any rate, just where Cabot's land fall is, which is a subject which has been discussed a good deal and still continues to be discussed. I think the hon. gentleman is right, because he places the land fall on the Island of Cape Breton, but considering that the discovery was made in Nova Scotia, this bill is rather inconsistent when it proposes to locate the permanent exhibition, which is to be established to commemorate that discovery, in the interior of Canada. Clearly the building should be

located down on the sea shore, either in Halifax or in Sydney. There is another feature which I notice in the bill; it makes provision for the disposition of moneys over and above what are required for the working expenses of this institution. I notice that the funds are supposed to be grants of money from any person, corporation, municipality, or government, or loans on any property real or personal, sums of money, guarantee of funds, guarantee of debentures, entrance charges, &c. Well, hon. gentlemen, of course if there are voluntary gifts, if there are municipalities which choose to give money for this association, that is all very well, but I hope that this bill does not represent the introduction of a movement to get a considerable grant from the Dominion for the purpose of conducting this association, which is to have its headquarters at Toronto. If it is desirable to have some memorial in connection with the discovery of North America by Cabot, then I think that some arrangements might be made to have the memorial, if not on the sea coast, here in the capital of the country.

Hon. Mr. CLEMON—Hear, hear.

Hon. Mr. POWER—Inasmuch as there are already two institutions here, the Geological Museum and the Royal Society of Canada, which are somewhat of the same character as the institution which is proposed to be established, I think that instead of starting out with an entirely fresh and new institution, something might be done by the government, if they are to be asked to help in this matter, towards extending the sphere of usefulness, either of the Royal Society of Canada or of the Geological Survey.

Hon. Mr. MACINNES (Burlington)—The suggestions which have been made by the hon. senior member for Halifax may be considered in committee of the whole.

The motion was agreed to and the bill was read the second time.

The Senate then adjourned.

THE SENATE.

Ottawa, Monday 9th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READING.

Bill (25) "An Act respecting the St. Lawrence and Ottawa Railway Company"—(Mr. MacInnes, Burlington.)

ADULTERATION OF FOOD ACT AMENDMENT BILL.

IN COMMITTEE.

Hon. Mr. FERGUSON moved that the House resume in Committee of the Whole consideration of Bill (10) "An Act further to amend the Act respecting the Adulteration of Food, Drugs, and Agricultural Fertilizers."

Hon. Mr. SCOTT—Before the House goes into committee, I wish to draw attention to the fact that this bill, as it now appears in our minutes, is entirely different from the bill as it came up from the House of Commons, and we would understand it very much better if we had it in the shape of bill. It has been so altered that it is not the same bill at all. There was only one clause, as it came from the House of Commons. That clause has been struck out absolutely, and a new clause is substituted. We would understand it better if it were introduced in the form of a new measure altogether.

Hon. Mr. FERGUSON—If my hon. friend will examine the bill he will find that it is precisely the same provision, but differently drafted. Every point that was in the original clause is to be found in the clause which is substituted, and the changes are merely for the purpose of making the provision harmonize with the Adulteration Act. I think this House is quite competent to make that change. There is but one clause in the bill and that is divided into a number of sub-clauses.

Hon. Mr. McCLELAN—I should like to correct my hon. friend from Queen's. This

is an entirely different provision. The bill, as it came here from the House of Commons, provided that anyone could manufacture, or allow bees to manufacture, honey and to make honey for his own use, or for the use of his own family, but the bill as it is recast prevents even that; so that it introduces an entirely new feature. I make this observation because I am quite sure my hon. friend is not disposed to lead the House astray about it, but has not thoroughly examined the bearing of it.

Hon. Mr. FERGUSON—I can assure my hon. friend that I have no desire to lead the House astray, and I can assure him further that I am not leading the House astray, for, as I read the bill, I do not think it permits the making of honey in any other way than is proposed in the amendment. When we go into details in the committee, we will find that the provisions are precisely alike, but if it is found they are not, and something better is suggested, we can take the best course.

Hon. Mr. McCLELAN—The third clause of the proposed bill says:—

“Everyone is guilty of an offence and liable upon summary conviction to a penalty not exceeding \$ who manufactures, produces for sale, sells or offers for sale.”

In the bill which was laid before the Senate from the other House the language is quite different:

“And no honey made by bees in whole or in part from any of such substances, and no imitations of honey or sugar honey so called, or other substitutes for honey, shall be manufactured or produced for sale.”

And I am quite sure if my hon. friend will examine the bill which he has introduced here, he will find it cannot be manufactured even.

Hon. Mr. FERGUSON—As far as that point is concerned, it would appear to be only a departure from the details, and not a departure from the principle—even if he is right about that.

Hon. Mr. McCLELAN—But it is an essential matter.

Hon. Mr. FERGUSON—That being, so I should think it would be a matter to be dealt with in committee.

Hon. Mr. McCLELAN—It is so.

Hon. Mr. FERGUSON—The original bill contemplated the same thing; the difference is in the way the clause was constructed.

Hon. Mr. McCLELAN—It was amended in the other House to meet that objection.

Hon. Mr. FERGUSON—There was more than one amendment in the other House, and these amendments do not harmonize with the other amendments, and the difficulty of working the bill in connection with the main Adulteration Act would be found to be very great. I think this is the only point, even in detail, in the bill as it came to us from the House of Commons, and that is surely a matter we could consider properly in committee; for we have certainly the right in committee of introducing even much more serious amendments than that.

Hon. Mr. McCLELAN—I merely wish to correct the impression which I think my hon. friend was under.

Hon. Mr. FERGUSON—The bill as it came from the House of Commons does not permit the manufacture of honey for a person's own use.

Hon. Mr. DICKEY—Would it not be better if the bill, in its printed form, as we are expected to consider it, were before us before we go into committee?

Hon. Mr. POWER—It is printed.

Hon. Mr. FERGUSON—At page 153 of the minutes.

Hon. Mr. DICKEY—We can find it by looking at the minutes; but that is an unusual way of considering a bill, and inasmuch as hon. gentlemen disagree as to the difference between the two bills, I think we are justified in asking to have it printed and before we go into committee.

Hon. Mr. FERGUSON—The hon. gentleman does not understand the position of the matter just now. We have gone into committee on the bill as it came from the House of Commons, and here it is. We have it printed. An amendment has been submitted, which is printed in our proceedings on page 153. I do not think it is usual, on account of a mere amendment suggested in committee, to stop the proceedings of a committee and have the amendment printed.

ed as a new bill. And my hon. friend does not mean that that should be done. Of course, after we amend the bill it will then be printed and will go to the other House. Before the third reading it is not usual to reprint the bill with the amendments. You will find the amendments at page 153 of the minutes and can compare them with the original.

The motion was agreed to and the House resolved into a Committee of the Whole on the bill.

(In the Committee.)

Hon. Mr. McCLELAN—I have some remarks to make with reference to this bill which would have been more appropriate at the second reading, but the bill is of such a peculiar character, that not many persons in this chamber really understood the purport of it. It comes under the title of an amendment to the Act to prevent the Adulteration of Food, Drugs, and Agricultural Fertilizers, but it is really a bill which restricts the feeding of bees for the production of honey. The “manufacture” of honey, is not a very apt expression to use because honey in the comb does not undergo any manipulation which involves the use of handicraft of man. It is simply the production of the bees, and the question is how far an Act of this kind is desirable in the interest of the bee industry. I am quite of the opinion we should do all we can to promote the production of honey. I notice by the Trade and Navigation returns that last fiscal year there was a good deal of honey exported. In addition to the home demand there was 47,352 lbs. of honey exported, the greater part of that, I believe from the province of Quebec. In value it was \$3,874 which I make up to be about 8c. a lb. That is an export which should be encouraged and I am satisfied that my hon. friend from Queens in urging the passage of this measure is moved by an earnest desire to promote a very valuable industry. But the bill does not come appropriately under the Adulteration Act. I do not understand where the adulteration comes in. It appears to me when we undertake to amend the Adulteration Act, we must have in our minds the use of some deleterious material. I cannot see how sugar, or glucose, materials which are not deleterious in themselves, when used by bees, and transmuted into honey, can be

dealt with as an adulteration of food. I cannot understand the object of that feature of the bill and it appears to me that the legislation will not produce the desired effect. The wording of it seems to me to be inconsistent. It speaks of honey as a manufactured article. I think even that “eminent novelist,” the government statistician would hardly call it that. Then again, it comes in very inappropriately as an adulterated article under the circumstances that I have detailed here. There ought to be some other method of providing for discriminating between the various kinds of honey. Since the bill was before the House, I have taken some little pains to inquire into the habits of bees, and I learn—something that I did not know before—that there are four or five different grades of honey. White clover honey is said to be the best, and what is called linden, or basswood, comes next. Then there is buckwheat honey, which is in an inferior grade of honey. Then there is the sugar honey, the production of which this bill aims at preventing altogether. It should not be difficult to distinguish these different grades of honey, and the object of my hon. friend would be better served by requiring that each grade should be labelled. People who wish to buy clover honey could then buy and pay for it, and those who wish to get buckwheat honey, which is more useful for some purposes than any other honey, could do so. I am told that some people prefer honey made from sugar for some purposes; if they do, why should they not be allowed buy it? While the bill may enable some bee-keepers to make more money, if a man wishes to expose sugar for his bees to regale themselves on, and make honey for his own household, it strikes me that he should have a right to do that. The bill is restrictive in its character; it will be difficult to enforce; it will interfere very much with the liberty of the subject in some ways, and it is not at all appropriate or useful legislation. I have to apologize for making these remarks now, because they should have been made at the second reading of the bill. My object is to call attention to the character of the measure and to the fact that it is entirely different from the bill as it was introduced here, inasmuch as the bill when it came from the House of Commons, permitted any man to feed his bees upon sugar if he wished to use the honey himself, while under this bill he

cannot do that—he is not allowed to manufacture, as it is called, even for his own use. The other bill says that he is not allowed to manufacture for sale, but under this he cannot allow honey to be produced by the bees from sugar to any extent or for any purpose, and I question the advisability of proceeding with this legislation.

Hon. Mr. SULLIVAN—The remarks that I wish to make should have been made at the second reading of the bill, inasmuch as they have reference to the principle on which the bill is framed. I believe that there is too great a tendency to make laws, when they may not be urgently demanded or when they may be used for the purpose of vexatious interference with the rights of citizens. There is a principle involved in this bill which I have not seen in any other, and I question if it is to be found in any Adulteration Act yet framed. It has reference to the dieting of animals for purposes of adulteration. I know bee-keepers say that honey is not manufactured by bees, but is simply collected, yet no human ingenuity has ever been able to make honey; consequently it must go through some process of elaboration in the digestive system of the bee in order to produce the grateful and nutritious substance which goes under the name of honey. If this system of restricting the dieting of animals is to be followed to any general extent, where would it land us? Suppose you were to prescribe a diet for the omnivorous pig, or the duck, or any of those animals which transform substances most repugnant to our nature and injurious to our health to wholesome food, people would say that it was perfectly absurd. Now I do not see why there should be a commencement made with the most interesting and economic of the few insects which furnish us with products of value. What is honey? It is nothing more than glucose itself, a concentrated form of sugar, with a few aromatic principles and wax. It resembles very closely the food which it is proposed by this bill to prohibit them from using. It belongs to the group of what are called sugars. Now sugars form an important article of diet and an alimentary principle which is used in the body for the purpose of making heat and other purposes and therefore very valuable. Honey can only be alimentary in the same sense, and it resembles

very closely in its chemical constitution glucose, or grape sugar, because glucose and grape sugar are the same. There are many varieties of sugars, such as cane, maple sugar, milk sugar, grape sugar, etc., but these are only different varieties, and in their action and chemical constitution are exactly alike, and their action with regard to the human economy is exactly the same. That is the reason why I think that a bill of this kind might perhaps lead to injurious results. If sugar, when fed to bees, does not furnish any substance injurious for human food, I cannot see why the object, which this bill contemplates attaining, could not be attained by a little inspection. It is also said that if you feed bees on sugar they may not produce comb. That would be one way of determining the difference. It is well known that honey varies in quality according to the plants from which it is gathered. There is a kind of honey produced in Narbonne, France, which has peculiar merit on account of the number of flowers of the mint family which grow there and which give it a particular flavour. So it is with heather honey. A particular kind of honey is made from the flower of the heather. There are two or three hon. gentlemen near me who know more about that than I do. I do not know much about it myself; I do not indulge a great deal in honey. I think the principle of the bill is a bad one and should not commend itself to the legislators of the country, for the reason that it does not do any good and is cumbering the Statute Book. It is a law which may not be observed, and which, if it is enforced, will produce a good deal of vexation and trouble. If honey is inferior in quality let it be stamped as such. "Good wine needs no bush," and it should be the same way with honey. The honey of certain districts and certain apiaries will always attain their proper place in the market, and I am convinced that an inspection of honey would secure all the advantages to the bee-keepers which this bill intends to give them.

Hon. Mr. FERGUSON—My hon. friend is very well versed in chemistry, no doubt, and when he discusses that part of the question I am inclined to defer to his wisdom on the subject, but when he talks of bees making honey, I am quite safe in coming to the conclusion that he is not a bee-keeper, and has no practical acquaintance with that part of the

subject. My hon. friend gives another definition of honey; I will read to the committee the definition given by Dr. H. W. Wiley, chief chemist of the United States Department of Agriculture, and obtained from him by the Inland Revenue Department here:—

Honey is the nectar of flowers and other saccharine exudations of plants gathered by bees and stored in cells built at least in part by the bees themselves.

That provides for the use of what is called comb foundation which is a manufacture from bees wax and which greatly facilitates the operations of the bees. When my hon. friend spoke of honey as containing some wax, I noticed at once that he was a little off. There is no such thing as wax in the honey at all. There is some pollen in honey. The cells are built with wax and contain the honey. The bees secrete the wax and gather the honey and use the wax for the purpose of building the cells, but there is no wax mixed with the honey or found in honey. There is a substance in honey which is known as pollen, which I do not think has ever been artificially prepared at least I have never heard of it, but it is found to exist in honey and that is a great point in which all imitations of honey will differ from the original article, inasmuch as this pollen cannot be supplied by any artificial process. My hon. friend objects to the principle in this bill of regulating or attempting to regulate the dieting of any animal in order to prevent adulteration, and he seems to think that that is something entirely new and different from what we have in our Statute Book at present. If the hon. gentleman will look at section 15 of the Adulteration Act, he will find that the feeding of an unwholesome article to a cow is an adulteration of milk.

Hon. Mr. McCLELAN—There is a difference.

Hon. Mr. FERGUSON—My hon. friend thinks there is a difference, but it is altogether against his contention, because the food of a cow enters into her system and is digested and leaves the body of the cow in a different state after having been assimilated by her organs. Bees, on the other hand, gather and collect honey and do not digest it in the same sense at all.

Hon. Mr. McCLELAN—Is not the law about the milk and the cow intended to apply where the milk is going into common stock for factory purposes?

Hon. Mr. FERGUSON—No. If my hon. friend will read section 15 of the Adulteration Act he will see. It reads:—

It is an offence against the Adulteration Act to feed a cow unwholesome food.

My hon. friend is a practical man, so far as agriculture is concerned, and he knows very well that it is quite possible to so feed a cow sloppy and unwholesome foods as to produce a very bad article of milk, deficient in butter fat. Now I have given what the definition of honey is, from the eminent authority that I have quoted.

Hon. Mr. SULLIVAN—That does not differ from mine. I said it was glucose.

Hon. Mr. DEVER—Clarified glucose.

Hon. Mr. FERGUSON—I suppose on an analysis of the honey, you find the glucose or grape sugar in it, and the feeding of glucose or grape sugar to bees will produce a substance closely resembling honey, but without its aromatic flavour which is not honey at all. My hon. friend speaks of different grades of honey; I am speaking of real honey, and real honey must comply with the definition I have given. That definition is accepted by the Department of Inland Revenue here, and at Washington, and therefore no manufacture of honey, or of any sweet substance from sugar, ever will or can be honey.

Hon. Mr. McCLELAN—Will the hon. gentleman allow me to give him an extract from an authority?

Hon. Mr. FERGUSON—The hon. gentleman can refer to it afterwards, but I am now dealing with the few points that have already been made. My hon. friend thinks that it is not right to describe or render by legislation the use of any article an adulteration unless it contains some deleterious substance. If the hon. gentleman will look at the Adulteration Act, he will find there are two kinds of adulteration, or what are constituted adulterations, running all through the Act. There are adulterations, of articles that contain no deleterious substance whatever.

Hon. Mr. McCLELAN—As a matter of food.

Hon. Mr. FERGUSON—As a matter of food I will read one or two subsections of section 22 to bring out my meaning:—

Every person who wilfully adulterates any article of food or drugs or orders any person so to do shall

(a). If such adulteration is within the meaning of this Act deemed to be injurious to health, for the first offence \$50, &c.

(b). If such adulteration is within the meaning of this Act and not injurious to health incur a penalty of \$30, &c.

Our Adulteration Act is framed on that, and there are two classes of adulteration there, one that contains deleterious substances and injurious to health, and one which is not injurious to health, but may be injurious to legitimate business, and is a fraud upon the public. I think I have made that point quite clear to my hon. friend, that it is not any new departure to deal with an article such as honey, even although we do not contend that the adulteration contains anything injurious to health. I think this bill is necessary. We ought to pass this measure, because any imitation of honey, or sugar honey, so called, or anything which is not a genuine article, is very unfair to those who are attempting to produce good honey. The sale of these articles will lessen the sale of honey altogether, because if an inferior article, under the name of honey, is exposed for sale it is very hard to distinguish between it and real honey, it will cause people not to buy at all, and I think it is right we should legislate to protect a legitimate industry. It is known to all bee-keepers that you can supply syrup to bees in such a way that they will fill the cells up very rapidly with a sweet substance which has none of the aromatic flavour that belongs to the flowers, and the production and putting on the market of that inferior kind of honey should not be encouraged. Hon. gentlemen might think, on a glance at the bill, that it would be very difficult to enforce it, if one of its provisions allowed the feeding of sugar to bees for the purpose of food for the bees, because it may appear impossible to distinguish between the feeding of sugar for food and feeding it for other purposes. Anyone who is a bee-keeper knows that there is no practical difficulty on that point. It is only when the second brood chamber is on, or surplus boxes, that you are

gathering honey for the market or for your own use, and the fact of the second brood chamber being on the hive, and sugar being exposed, would make it a *prima facie* case of an offence against this Act. The amendment is so constructed that it is open to the person who is prosecuted on a charge of practising this adulteration to come to court and say, although he had a second brood chamber on, that he was collecting this for the purpose of putting it on the market—that he was not using it for that purpose, but that he was filling spare frames for the benefit of his weak hives. Any gentleman acquainted with bee-keeping will appreciate what I say, that there is no practical difficulty in that way. I hope hon. gentlemen will study the bill carefully, bearing in mind that nothing is honey except what the bees gather from flowers, and what they store in the same way. If we allow any other article to be put on the market as honey, we are doing very much to demoralize the business. We are not giving that encouragement that we should to those who are pushing an industry which is both beneficial and interesting to the country. I have had some experience in bee-keeping, and I cannot see any possible harm that can come out of the bill. My hon. friend thinks that the amendment goes further than the bill, as it came from the House of Commons, inasmuch as the amended bill will prevent any bee-keeper from getting his bees to make honey out of sugar or syrup for him for his own family. Perhaps the bill as it came from the House of Commons would permit that. I think that it is desirable that it should not. This syrup carried by the bees, without having the aroma of the flower and the pollen, is not honey. To use the bees simply as common carriers to convey the sweet substance to the hive and put it into the cell, is neither good for the bee-keeper nor for his customer. The apiarist should not be permitted to defraud his customers, or to perpetrate a fraud upon himself and his own family. If we allow that to be done it will render it more difficult to enforce other parts of the bill.

Hon. Mr. SULLIVAN—I want to correct my hon. friend. I have before me a treatise by an eminent physician in London in which he says;

As the honey itself contains a minute portion of wax, this requires to be looked into.

Therefore it does contain wax.

Hon. Mr. McCLELAN—My hon. friend failed to reply to the observations of the hon. member from Kingston in the matter, and inasmuch as he acknowledges that I was right in my contention about the amended bill being different from the other bill, I am rather emboldened to make further remarks with regard to something he has stated as to what honey is. He says, if I understand him, that it is only honey when it is the production of the nectar of a flower, and that there is no such thing as sugar honey, or that when the bees partake of the sugar and honey is produced, that that is not honey. Now I presume he will not object to this authority from which I propose to read. It is called the Bee-Keepers Guide, or Manual of the Alpiary, by A. J. Cooke, a very recent work, published in 1894. Prof. Cook says:

“I have found very thick honey to have a specific gravity of one-forty to one-fifty. The fact that honey is digested nectar or sucrose shows that in eating honey our food is partially digested for us. The cane sugar is changed to a sugar that can be readily absorbed and assimilated.”

That is not exactly the passage which relates to the statement of my hon. friend, but it shows this: that the nectar of flowers and sugar, or glucose, are chemically one and the same thing, and that, transmuted by the bees, it not only produces honey, but it removes whatever there may be chemically deleterious in the cane sugar itself, and makes a better sugar: consequently the bees are beneficial insects; they are philanthropists in a way. The whole of their food, or the secretions that they acquire, whether they rove among the buckwheat or the clover flowers, or partake of sugar or glucose, is the same thing in principle, and this shows that whatever they partake of undergoes a transmutation by their digestive organs, and certain chemical properties of it are eliminated. The injurious properties are eliminated, and the product is an improved product. This authority shows that. It goes on to say:

I have fed bees pure cane sugar, and when stored the late Professor R. F. Kedzie —

This is another apiarist of some distinction.

The late Professor Kedzie found that nearly all of this sugar was transformed in much the same

way that the nectar is changed, which is taken from the flowers. It is probable that the large racemose glands in the head and thorax of the bees secrete an abundant ferment which hastens these transformations which the sugars undergo while in the honey stomach of the bee. Possibly juices from the honey stomach also aid in these changes.

Hon. Mr. POWER—Hear, hear.

Hon. Mr. McCLELAN—Which is conclusive proof, by eminent authority, that my hon. friend from Queen's is entirely wrong in this matter. I produce this because I am satisfied that the hon. member from Kingston has the right idea of it, and I think that this bill should not be passed at all, because the effect may be injurious. At the same time, I am quite willing to agree that there might be, perhaps, some legislation by which the different grades of honey could be properly labelled, so that purchasers would know exactly what they were buying.

Hon. Mr. POWER—I think the hon. member should accept the suggestion made in the first instance by the hon. member from Kingston, and repeated now by the hon. gentleman from Hopewell, that he should transform his bill from a bill to amend the Adulteration Act to a bill to amend the Inspection Act. There is nothing deleterious or bad about this sugar honey, and there is no reason why it should be made a crime to sell it, or to allow the bees to make it; but as the hon. gentleman from Hopewell has just indicated, the Inspection Act might be so amended as to render it necessary for any one putting honey on the market to label it, or stamp it, in such a way as to indicate the source from which it came, so that if people chose to buy sugar honey they might be at liberty to do so, but that they should know what they were doing. It seems an absurd thing to say that if a farmer puts some sugar outside of his door and allow his bees to feed on it, he is guilty of an offence, and may be brought before a tribunal and fined. It will take a long time before the ordinary inhabitants of the country will learn that it is a criminal offence to do that; and it is suggested by the hon. gentleman from Hopewell that in the adjoining country, where they manufacture a good deal of honey they have never found it necessary to pass such a law as this.

Hon. Mr. REESOR—My hon. friend opposite, who has charge of the bill, insists

upon it not only that sugar generally, such as may be well manufactured, shall not be fed to bees, but particularly glucose and grape sugar. Well, how is he going to prevent bees from going into a man's vineyard and making a great deal of honey from the juice of the grape that they get there? That is grape sugar, and has the flavour of the grape as much as anything he will get, I know last year the little vineyard that we have at our garden was so invaded by bees that we lost I fancy more than half of our grapes.

Hon. Mr. POWER—Get an injunction against the bees.

Hon. Mr. REESOR—Some men keep a considerable number of bees, and if they have no chance to get honey from flowers they will get the grape sugar from the vineyard when the grapes are ripe. I have had bees in my lifetime and my son keeps them, and if I had bees now, I would think that good wholesome sugar is the best thing you can feed them. Some people will sweeten water when they cannot get feed elsewhere, and will take it and make honey so diluted with the water that really it would not stand inspection and bear the quality of good honey, but if you have good sound sugar cane or maple trees, or molasses, I think there would be no harm done, and you would get a good deal of good honey at times when it was impossible for the bees to get out in the country. All the advantages they derive from the sugar in the flower is the aroma they gather from the flower; but apart from that, this sugar is not injurious to the bees, nor is the honey that is made from good sound sugar injurious. It is far better, in my opinion, than honey made from the flowers of the buckwheat which produce a great deal of saccharine matter of some kind, but the honey is dark and certainly not of good quality. I know parties in the neighbourhood where I have lived a good part of my life who have made tons of honey, and they always get the highest prices in the market. They feed their bees more or less sugar, but they would not feed it in that diluted state, half water. They would get the very best sugar and would only give it when the bees could not get anything better, and when they could not go out. This bee-keeper that I have in my mind was very successful in producing honey and in finding a good market

for it. I think that this provision should be put either as an amendment to the Inspection Act or as a fresh bill. Neither of them should become law until we get more information than we have at present. I take a great deal of interest in that sort of product, because in the section of the country where I was born and brought up and where I ran my first election, the County of York, near Toronto, a great many of the farmers produce very good honey and I never heard any of their customers complain of it. Some of them have 30 to 100 and some 200 to 300 colonies, and I know one man who made his living by keeping bees; he made more out of the bees than a man could make of a whole 100 acres. He made it a point to keep them supplied with enough sugar to keep them working. It is no man's interest to do otherwise. If he supplied anything more, he would very soon get the character of making bad honey, and he would get no customers. If you want to have any check on a man, do as my hon. friend on my right suggested, make him put his label on the boxes or cans, and you would soon find out if he sold anything but good honey. You might as well make a law to prevent people selling butter if their cows gathered in the the pasture where they ran, some weeds that gave a bad flavour to the butter. The same way with pork. As my hon. friend suggests, if you let hogs run into a beech-nut grove it makes the pork less than half the value that it would have if fed on sound grain. I know farmers who produce pork, and they keep the swine out of any such places in order that the pork may not be injured, or, as my hon. friend would say, adulterated by eating beech-nuts. People regulate those things for their own interest, and all that need be done where people are not well posted in such matters is to have proper information published in such a way that it would put farmers on their guard against producing improper food. The farmers' self interest will lead them to produce the best article. I hope the consideration of this bill will be postponed for a few days. I have a letter here denouncing it as iniquitous and as interfering with an honest industry. I am expecting other letters, and I hope the bill will be postponed until Thursday at least. I do not wish to move the six months hoist, but unless we can get more information than we have got yet, I shall move against the bill.

Hon. Mr. FERGUSON—I think it is as well to let the bill go through the committee. Before the third reading the hon. gentleman can get any information he wishes to collect on the subject. I am informed that the bee-keepers associations are unanimously for the bill.

Hon. Mr. REESOR—As we have it now?

Hon. Mr. FERGUSON—Certainly not with that phraseology, but the amendment which my hon. friend from Albert refers to as weakening the bill was put in by some member of the House of Commons who does not know much about the matter.

Hon. Mr. McCLELAN—I was informed that it was done by the Finance Minister.

Hon. Mr. FERGUSON—I have no doubt that he is a high authority on finance, but I do not know that he is on bee-keeping. The amendment made in the House of Commons was not made at the suggestion of the bee-keepers at all. My hon. friend persists in saying, and emphasizes his words, that the bill is entirely different from the bill as it came from the House of Commons. The only difference is that as it came from the House of Commons it admitted the making of sugar honey for the bee-keeper's own use. Still my hon. friend persists in saying it is entirely different. I have no objection to postponing the third reading of the bill to suit the hon. gentleman's convenience.

Hon. Mr. REESOR—Why not let the committee rise and ask leave to sit again? I will have all the information I require by Thursday next.

Hon. Mr. FERGUSON—I have no objection.

Hon. Mr. POWER—In the meantime, the government might consider the propriety of changing the title of the bill so as to make it an amendment to the Inspection Act.

Hon. Mr. MACINNES, from the committee, reported that they had made some progress with the bill and asked leave to sit again.

RAILWAY ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir MACKENZIE BOWELL moved the second reading of the Bill (H) "An

Act further to amend the Railway Act.' He said:—The first clause of the bill provides for making legal certain actions of the board by resolution instead of by by-law. Many of these corporations have in the past been in the habit of passing resolutions appointing some of the most important officials. They have also been in the habit of giving gratuities by resolution instead of by by-law, and this is to provide that directors may pass resolutions for such purposes. Subsection "C" makes provision for the payment of certain sums to officers and servants of the company whose services they may desire to dispense with. In the past this has been done also by resolution. The second subsection provides for the legalizing of the actions of the boards of directors in the past. The second clause is one which will commend itself to the House, when explained. Under the present law, when additional land is required for any railway, the truth of the allegations, in such application, shall be certified by the president or one of the directors of the company. Take the position of the Grand Trunk Railway Company: the president and directors live abroad—not one of them lives in Canada, and this provides that the general manager, who must have a better knowledge of the requirements of the company than either the president or any of the directors, shall have the power of the president or one of the directors. No doubt, in cases of this kind, where more land is required for the purposes of the railway, it would have to be certified to by the president or one of the directors, upon the report of the general manager in this country. Therefore, it is thought, in the interest of the company, that the manager should have the same rights and powers in matters affecting the acquirement of land for railway purposes, as are now vested in the president or one of the directors. I think the House will agree with me that these are useful amendments, and will facilitate the working of the railways.

Hon. Mr. POWER—The bill, as the first minister says, is composed of two clauses. There cannot be any objection to the second clause, which provides that the general manager shall have the power to act as well as a director or the president; because the general manager is more likely to know about the matter than the president or any

director. With respect to the first clause, the minister does not seem to understand, or has failed to explain, the full extent of the provision. His impression is that this first clause simply provides for the legalizing, in a sense, of resolutions. It provides that it shall not be necessary to make by-laws in every case, but that certain matters may be dealt with by resolution. I am not raising any question as to that; I think it is a desirable thing; but the clause goes further than that. I have not gone carefully through the whole of the Railway Act, but as far as I can see, the only section in the Railway Act which gives power either to the directors or the company to make by-laws is section 58, which the first clause of this bill proposes to repeal altogether. If the hon. gentleman will look at other sections of the Railway Act, he will find that certain things are to be done by by-law. If you strike out in the Act the only section which authorizes the passing of by-laws, it is likely to lead to very serious difficulties and confusion in the future. It may be that there is some section of the Railway Act which I have not seen that provides for the making of by-laws. If that is the case, of course I stand corrected, but if my impression is correct, I think the better thing to do, instead of repealing section 58 of the Railway Act, would be to add the provisions contained in this first clause to section 58 of the Railway Act as a second subsection. I throw out the suggestion in order that the hon. gentleman may have time to consider it between now and the next stage of the bill.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman misunderstood me, or I did not make myself plain. I am aware that the clause provides for more than the passing of resolutions, but that point, to which my hon. friend has called attention was fully considered by the railway people and also by the government, and it was thought better, in amending a clause of that kind, to repeal the whole of the section and re-enact it with the additional powers which are given in this clause. There is always a great deal of difficulty in carrying out any law where you change a sentence or add a few words to it. I know my own experience was, in amending the Customs Act where it was necessary to put in only one or two words in order to convey fully the meaning that was intended

by parliament, that it was best to repeal the whole section and re-enact it with the addition to it; and that is the case, if the hon. gentleman will look, in this instance. The 108th section, as he says, is to make an addition to the powers granted to the manager. That also is substituted for the section in the Act dealing with property. However, I will consider the matter in the committee stage.

Hon. Mr. POWER—I did not object to the form but to the substance. My point is this; excepting section 58 there is no power in the Railway Act to make by-laws. In other sections of the Railway Act there are references to by-laws. The first clause of this bill practically does away with by-laws altogether and says that there shall be only resolutions in future. I thought the intention was to allow the power to pass by-laws to remain, but to give these resolutions the force of by-laws in cases where it is not convenient to make by-laws.

Hon. Sir MACKENZIE BOWELL—That point was fully discussed by Mr. Bell on the part of the Grand Trunk Railway Company, and by Mr. Clark, the solicitor for the Canadian Pacific Railway Company. Mr. Clark's views were, I think, more in accord with those of the hon. gentleman who has spoken. He thought it better to say "by resolution or by-law." Mr. Bell thought it better to say by resolution only as that had been the practice in the past. However, I will look at the other sections to which my hon. friend has called attention and bring the matter under the notice of the Department of Railways and Canals, in order to see that this clause as amended does not conflict with the other.

Hon. Mr. SCOTT—Everyone who is at all conversant with the method of doing business by incorporated companies and also municipal bodies, will be struck with the frequency of substituting resolutions for by-laws. We have constantly cases arising in the courts where municipal councils do things by resolution which under the Act they should do by by-law. It is a mistake that is constantly committed, and incorporated companies drift into resolutions because it is such a bother to draw up a long by-law. The resolution expresses the opinion of the body just as perfectly as a by-law would do

only the by-law taken ten minutes to draw it up and read it, whereas the resolution only occupies two minutes to prepare and read it, and that is why they drift into the more prompt method of dealing with the subject I do not therefore see the necessity of a by-law unless it is something to be considered at a future day, and I see no reason why we should not allow those companies to do these matters by resolution instead of by by-law.

The motion was agreed to and the bill was read the second time.

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, March 10th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

HUDSON BAY ROUTE.

INQUIRY.

Hon. Mr. BOULTON rose to inquire—

If it is the intention of the government to despatch a vessel to the Hudson Bay, with the view of ascertaining further information in regard to its navigability as an ocean route? And that he will ask that all the papers relating to this matter be laid before the Senate.

He said: I ask the permission of the House to withdraw the addition to the question, that I will ask that all papers relating to this matter be laid before the Senate. I overlooked the fact that the addition of that to the question was irregular and outside of the rules of the House, and I ask the indulgence of the House to be permitted to withdraw that part of the question from the notice paper, and to allow me to proceed with my remarks upon the question without that in it. It is not regular to move for papers in a question. Now, hon. gentlemen, the question that I have brought before the House to-day is one that is of great interest to the people of the province of Manitoba and in the North-west Territories. I consider that it is more so, from the fact that I drew the attention of this House to a letter written by the late Sir John Macdonald on

this subject. The last letter he wrote before he was stricken down, was a letter to me on this subject. I think that fact is emphasized by Mr. Pope, his secretary, in writing his biography, and the letter that I had written to him was in regard to a resolution that I was bringing forward, that aid for the development of this route should be sought from the Imperial Government by me:

My dear Boulton—I have your note of the 18th, for which many thanks. It don't much effect your Hudson Bay resolution. There is no chance of Her Majesty's Government making any grant, and it is bad policy to court a refusal.

Yours truly,

JOHN A. MACDONALD.

It is a pleasant reminiscence to bring forward at this late hour at the closing of this Parliament which he had the honour of leading at the polls, and which returned him to power, and which has been in existence for the past few years, is a pleasant reminiscence to bring forward the fact that up to the very last moment that he was able to do any work at all he was engaging his thoughts upon the development of the country. He has stated there that he is of the opinion that Imperial aid would never be granted. With all due deference to his wisdom and his high opinion, I believe myself that I was on the right track. I believe myself that the development of the Hudson Bay is of more interest to Great Britain than it is to Canada, and while Canada has large interests in the development of that route, yet greater interests lie with the Imperial Government. For that reason in view of circumstances that have arisen since that time, I feel I was justified in the move I was making and in the position I am taking to-day. The Honourable Mr. Chamberlain, who has now become the Colonial Secretary; with the enlightenment of a man reared in the midst of the industrial life of Birmingham, thoroughly appreciates the value of opening up new trade routes. It means the employment of more labour and capital and the support of a larger share of the population in the world and distributing it added comforts. Those are the enlightened and progressive views with which Mr. Chamberlain has commenced his career as Colonial Secretary of the Imperial Government. From that point of view he will no doubt see the importance not only from a commercial point of view

but also from the point of view of imperial defence—the necessity of lending a hand in the opening up of what you might call the hidden mystery of this inland sea so far as the navigation of Hudson Bay is concerned. Hon. gentlemen know perfectly well that the conditions in Great Britain during this century have undergone a great change. At the commencement of this century the population was 15,000,000, and the agricultural area of Great Britain was sufficient to support that population without drawing from the outside world. The production that was afforded then was sufficient in so far as they were able to support themselves, but conditions have changed entirely since then the population has now grown to be 40,000,000 and they are now unable to support themselves from the soil, and 73 per cent of the wheat used for consumption in the British Islands has now to be brought from foreign sources. They raise now only 27 per cent at home instead of 100 per cent as it was at the commencement of the century. Hon. gentlemen will realize what an important bearing that has on Imperial defence. That enormous amount of food supply has to be drawn from abroad and the slightest check to the ordinary transportation—to the continuous transportation of wheat to the British Isles—means famine prices almost at once, and it is of the utmost importance if Great Britain is to maintain her present supremacy in the commercial markets of the world and her large purchasing market for our products, and the foreign trade of the world, that no such thing as famine prices or a check should be put upon the ordinary supply of food for her large industrial population. I will just read a little extract to show how easy it may be to throw difficulties in the way of that continuous transportation of food supply. The Suez Canal is one of the chief routes used by Great Britain, 90 per cent of the shipping that goes through the Suez Canal belongs I believe to Great Britain. I will now quote an extract from a recent issue of the *Citizen* :

The grounding of the German steamer "Kansler" at Ismalia, for several days, completely blocking traffic of the canal to all but vessels of very light draught, has opened the eyes of the British Government to the serious condition of affairs. The grounding of the vessel was doubtless due to pure accident, but it is now clear that if any large vessel was purposely run at a good speed, or if the officers of the vessel should scuttle her or blow her up, the canal would be blocked until it could be cleared.

In some events it might delay the passage of war-ships and transports, and might result in the loss of India to the British crown.

Three or four Italian transports, having on board troops to reinforce General Barratieri, the Governor of Erithrea, were detained at Ismalia, it being impossible for them to get by the "Kansler."

Now that is just one of the little indications of the difficulties that may be placed in the way of keeping up a proper food supply for the British Isles. There are one or two more quotations that I thought would be of interest in bringing this subject before this hon. House, but I have mislaid them. It is perfectly clear to hon. gentlemen the great importance that Britain has in opening this route as a source of food supply, as I remarked before. The prairies of the North-west are the nearest wheat fields to the British Isles on the face of the earth. They are quite unoccupied at this present moment. They are virgin soil of great productive power. They yield a superior quality of wheat. I believe no superior wheat is known on the face of the earth than which we are able to raise in the North-west Territories. This is the most adjacent area to the British Isles as a source of food supply. At least, I suppose 100,000,000 acres of good arable land is there; it has been estimated as high as 200,000,000. I am one of those who believe it is always wiser to take a conservative estimate, and for the purposes of the present question or the present generation, at any rate, 100,000,000 acres is quite sufficient to claim as to the magnitude of the source of food supply that can be created by the development of those western prairies. Now, hon. gentlemen, one of the great difficulties that we have to contend with is transportation. We are an inland country and consequently it is a matter of very great importance indeed, not only the question of the efficient transportation, to get the crop out in due season, but transportation that is of sufficiently economical character that will leave reasonable profits behind it in order to encourage the development of that country. It is impossible, hon. gentlemen will realize, to develop any country unless it is profitable so to do. The difficulties that we have contended with so far and are contending with so far is the fact that our transportation rates are exceedingly high, consequently leaving a very small margin of price behind for the farmers to support themselves with. If it was not for the fact that it was a virgin

soil, that there was no expense in cultivating it, no manure required, no fencing, no expensive outfits such as ordinary farmers have to deal with, it would be utterly impossible under the present conditions to profitably carry on farming in that prairie country, and as Mr. White of the Canadian Pacific Railway has very wisely remarked in the course of an interview, that the politics of the west is transportation, and in saying that I thoroughly believe he appreciates fully the situation; and right before our eyes is on our maps continually that great inland sea which penetrates the very heart of this continent. It takes off in crossing the continent one-half of the distance, 4000 miles across the continent is reduced to something under two thousand by the utilization of that route. It is thoroughly impressed upon the minds of the people of the West that it is a better route, that it is placed there for a wise purpose, in order to play its part and to perform its part in the progress and development of the world by the riches it contains as a source of food supply, and how to develop our transportation, how to economise our transportation, how to develop that route so that it may be utilized is one of the questions that has been puzzling the people of the West for number of years. I might read a quotation here which comes out in the Montreal markets of to-day to show you how grain finds its way to European from this continent by various routes, and it is pointing out the fact that other ports are seeking to draw the trade from New York and from Boston:

Even ports on the Gulf of Mexico are taking corn for shipment to Europe from districts usually looked upon as tributary to New York and Boston. A map in the *Railway Age* shows how this is possible. Denver is 1,600 miles from New York and 950 from Chicago; it is just 950 miles from Galveston or Aransas, on the Gulf of Mexico. Kansas City is 1,100 miles from New York, and 1,050 miles from Norfolk, Va., but only 900 miles from Savannah, Georgia, 700 from New Orleans or Mobile, and 600 from Sabine Pass, Texas. St. Louis is 900 miles from New York, but only 800 from Norfolk, and 600 from New Orleans and Mobile. Louisville is 700 miles from New York and Norfolk, but only 500 from Savannah and 550 from Pensacola and Mobile. These distances are geographical, and do not represent the actual mileage of the railways between the points named; but the ratio between the geographical and rail distances is about the same in each case. In the case of New Orleans, also, the Illinois Central Railway is so situated as regards its traffic that it has heretofore had to haul many empty cars south, the bulk of its freight being made from the south to

the north. It can afford, therefore, to take grain cheaply to New Orleans, and considerable of the increase in that port's corn shipments is attributed to this fact. As a rule, it is the rail transport of grain that is most costly, and where it can be shortened, a slight addition to the mileage of ocean carriage does not suffice to offset the economy in the railway charges. A committee of the Trans-Atlantic Freight Conference describes the situation in New York as alarming.

The facts there set forth, while it alarms New York, develops competition to the advantage of trade.—Now that is a very timely contribution to the history of the question which I am discussing. It shows hon. gentlemen that the outlet for the industry of the interior of this continent finds its way, to a certain extent geographically, that the shorter the rail it has to reach an ocean port by, the cheaper the rate of freight is for those people and farmers that have wheat and heavy produce to carry to and fro, and so it is with us in that western Canadian country. Though for the country in the neighbourhood of Winnipeg, even going along the line of the C.P.R. as far west as Regina, the natural outlet is probably by way of Port Arthur, but this new route develops competition and reduces rates. When you go north of the C.P.R. line and get up into the North Saskatchewan district, up into the Edmonton district and the Prince Albert district and those districts up there, the natural outlet of that country is by way of the Hudson Bay, and as the shortening of the distance of the transport by rail becomes more manifestly important year by year, it therefore becomes of more interest as the northern country is being developed, it becomes more and more of interest to the people there to try and procure the opening of this route. I have a quotation from the Manchester *Courier* which I have put my hand upon and which I intended to give before, and which I will now quote to the House. The Manchester *Courier* says:

That the losses of American investors seem worthy of being bracketted with the scarcely less depressing circumstance that England now produces less than one-seventh of the wheat consumed by her population, and is dependent upon America and other countries for the remaining six-sevenths. The *Courier* says that Englishmen should realize the terrible straits for food supplies in which the country would be placed by losing command of the sea in war-time. This is the thought uppermost in men's minds when they consider the possibility of war with any great power, that bread and meat would be dear, and starvation would be averted only by a great display of naval strength.

The *Toronto Mail Empire* of the 18th January, also says :

Things have very much changed since the British Empire last had to fight for its life 95 years ago. In 1801 the population of Great Britain was 15,000,000, to-day it is 40,000,000. Then, with all foreign markets closed, it was possible to feed every inhabitant of the islands with British produce alone. To-day 600 ships carry \$15,000,000 worth of food to British ports every week, and the mere prospect of interference with these supplies would, within forty-eight hours, raise the price of food to famine prices. As to what might be the result in the case of actual war, it is well that the voice of experts should be listened to. Lieutenant Crutchley, of the Royal Naval Reserve, who was recently consulted on the subject by a representative of the *London Daily Graphic*, says that in the case of a war with one of the great powers, assuming that in the first great sea fight—probably in European waters—Britain were successful, the damage that would be done by hostile raiders to the British mercantile marine would be immense. Thirty or forty fast mail steamers, armed with guns of small calibre, would do an incalculable amount of damage before they were run down and destroyed. If a disastrous reverse were suffered in the first action, so that it became doubtful whether Britain could keep the sea, there would be something akin to a race for the possession of the Cape of Good Hope, and a blockade of the coast from Cape Town to Natal, with the destruction of all shipping the South African ports contained, would make it very probable that the Cape peninsula would have to be ceded. Australia and Canada would be subject to the same dangers, and we might in a few months be brought face to face with a state of things which would put a definite stop to our sea-borne trade and inflict incalculable damage on all classes. That these dangers have frequently occupied the minds of statesmen, and that they have felt the importance of strengthening the navy as the only means of sustaining the position of Britain, is evident in history.

Now the routes I have referred to as pointed out in the *Montreal Gazette* all go from foreign ports. They all have to cross the Atlantic on routes that are more open to the attack of privateers or to be harboured and harassed by an enemy that desires to do so, to the destruction of Great Britain's food supply. Now, hon. gentlemen, the Hudson Bay route is free from all that. It has a northern outlet. It is off the ordinary course that ships travel and it is up in the northern regions where ships never go except for some particularly specified purpose and to that extent it is free from all the difficulties that England would have to meet in the transport of her food supply by southern routes—by routes that are more occupied. The British government are spending £20,000,000 this year on their navy, to maintain the defensive force of the Empire. A

guarantee of $2\frac{1}{2}$ per cent interest on £4,000,000 will secure the development of this route as a defensive measure, the guarantee being secured by the construction of a productive work. Then we have near the mouth of the Hudson Bay, Greenland jutting down with Cape Farewell, which is a half-way port, you may say, between the Hudson Bay and the British Isles, where a coal station could be established and vessels instead of carrying coal for the whole distance could carry the coal for only one-half the distance, a very valuable point I consider on the question of ocean transport. For that purpose it is very desirable, that we should think, that the Government should think, that the Imperial Government should think it wise to establish a friendly treaty with Denmark in order to secure that position so that we might be free in the development of the trade that is going to be developed in that western country, that they may be free from any interference whatever in the feasibility and security of transport of commerce between Canada and the British Isles in their domestic trade. These are all factors that cannot fail to manifest themselves to statesmen in the present condition of the world and in the present condition of Great Britain's own position as having to draw the daily support of the lives of her people from distant lands. Her population shows a healthy growth. It has increased from 15,000,000 at the beginning of the century to 40,000,000 to-day after throwing off 11,500,000 distributed in the United States, the British Colonies and other countries, and consequently as long as that healthy condition remains her population will naturally grow up to 42,000,000 and 50,000,000 and the support of that population must more and more continually be drawn from outside sources, and therefore it becomes a question of imperial importance to the people of Great Britain to lend their aid to the opening up of this route and the general development of population and trade will raise the price of foodstuff uniformly over the world and relieve the agricultural classes both in England and Canada than by the imposition of protective duties. Canada has her interest in the matter as a means of developing the resources of the country. I believe in being a progressist. I believe our duty is from day to day to go on developing our resources and extending the beneficence of Providence as far as it is

possible for us to do so in multiplying the comforts and the foods that nations not so well off as we are may have the benefit of them at the lowest possible prices so far as they are unrestricted by trade restrictions or by monopolies which seek to draw the larger share of profits from both producer and consumer. For that reason, I say, we should take advantage of the present condition of affairs. What is the present condition of affairs so far as the British Isles are concerned? It is that under her free trade policy she has gone on maintaining her population with an increased degree of comfort, maintaining the wages of her industrial population at as high rates as other parts of the world and at the same time her capital has increased enormously to such an extent that it is now available for enterprises of this kind at as low a rate as two per cent. A two per cent loan, I believe with an imperial guarantee, would produce all the capital necessary to develop such a route as I am speaking of and for two and a-half unquestionably it could be obtained. That is the position in which we stand to-day, so far as resources are concerned. Show a reasonable public improvement, and all the capital necessary for the development of that improvement is available at the lowest possible rate, which is a matter of the utmost importance to producer and consumer in securing the means of developing transportation at that rate. It is for us now to try and take advantage of that, if we possibly can. By the opening out of that route, a great development would take place in the North-west Territories. I know there is a certain amount of jealousy on the part of people in Eastern Canada that trade should not be diverted. That is always a constant fear. They look upon that country as a kind of close preserve for the people of Eastern Canada, and as long as they maintain that position, they will kill the goose that lays the golden egg, because, unquestionably, the condition of things to-day in the North-west Territories, while there is an increase going on all the time, yet is not such a profitable increase that it will leave that country in the healthy condition that it is desirable that all parts of Canada should be in and continue to be in. With a decrease in our exports and a decrease in our imports staring us in the face, it is quite evident trade restriction is producing an unhealthy condition. There-

fore, I say that Canada has an interest in securing that development, not only in the prairie regions, but in the mineral region, and also in the fishing industries, and the object of the question which I put on the paper is to know whether the Government proposes to send up a vessel in order to make themselves more acquainted with the availability of that route and with what is going on there. We know nothing about what is going on in that bay, what the resources are, and to what extent foreign nations and others are drawing wealth, how far they are decimating the fishing wealth of those waters. We know that United States whalers go there and whalers from Dundee and other British ports, how many more, we cannot tell. It is not wise to leave a magnificent territory like that, of the value of which we are in perfect ignorance, as if it were valueless. When the United States got Alaska, the first thing they did was to set to work to develop it and develop it to an extent that was truly amazing. They have drawn wealth from it in the fishing life, and the sea life, in the minerals, and many other ways. The people of the United States have developed Alaska and only two or three days ago we had a bill going through this House to develop the trade in the Canadian portion of the Yukon. If the people of the United States had not developed Alaska, we would not be in a position to develop our country, as we are seeking to do on the Canadian side of the Yukon. And so it is with the Hudson Bay. We are going on year after year, and taking practically no steps, although it is only 700 miles from a magnificent prairie region and the sources of a great food supply—a district that will give homes to hundreds of thousands and millions of people yet. It is looked upon with so jealous an eye by the people of Canada that no steps are being taken, and reports that have come down have been of that character that they have discouraged capitalists and discouraged people from entering it. Those who are acquainted with the history of the past know that commissions that were appointed during the occupancy of the Hudson Bay Company of that vast territory were appointed to ascertain its value, and the answers given as to the value of that country and the difficulties that prevail there, and the impossibility of its ever producing anything at all, were

the general trend of information. You have only to read the records. What is the result to-day? This year we are producing sixty-five or seventy millions of bushels of grain, and exporting forty thousand head of cattle, besides horses, sheep, pigs, and dairy produce. If we had listened to those who were interested in locking that country up, it would have still been exactly in the same wild condition to-day. We would not have had the Canadian Pacific Railway running across the continent, nor the distribution of wealth drawn from 70,000,000 bushels of grain and other produce grown by the industry of the people up there. So it is with regard to Hudson Bay. I think when it is developed, people will find that the tale of its not being navigable, the tale of it being impossible to be of any commercial value will be found to be just as groundless as the stories that were told about the prairie country inland. So long as that condition prevails, unless it is taken hold of by one government or the other for the purpose of utility, it will continue to be a sealed book so far as Canada is concerned. There are several rivers running through the prairie country into Hudson Bay. The Red River begins 600 miles south of the border in the United States and flows north. The South Saskatchewan rises in the Rocky Mountains in the neighbourhood of Calgary, and the North Saskatchewan rises in the Rocky Mountains in the neighbourhood of Edmonton. Then again in the north—north of the North Saskatchewan are great rivers which drain into the Hudson Bay. These are the three great sources of drainage besides the Assiniboine and Souris and other smaller rivers. In addition to the grain supply and food supply available in our own prairie country, there is the enormous food supply in the states of Dakota and Minnesota and those states which are tributaries of the Red River, so that if ever it became the policy of the people of Great Britain to store up for an emergency and keep a continuous supply of 20 or 30 millions of bushels of grain to be drawn upon in the summer time, there is that magnificent area from which to draw that food supply and store it up in elevators in some port there where it is perfectly safe, where it is in a cool climate and where it can be made available for transport free from difficulties of any description and from foreign attack, and during the summer season transported from this new Canadian

port. The objection is raised that no grain can come out of that country the same year that it is grown. Well 50 per cent of the grain of that western country has to remain behind every year. It is an impossibility to get the grain out the same year. Only a portion of it can come out. It remains in the elevator at Port Arthur, and in the elevators at Fort William, or in the elevators of the various town and villages or in the granaries of the farmers themselves, and therefore the argument is used and futilely used in hostility to the opening up and development of this route, that it is impossible to be of any advantage to the country on account of the fact that grain cannot be transported the same season, this objection is of no account for the reasons that I have already stated. Fifteen or twenty million bushels of wheat could thus be stored up on the Hudson's Bay and be a great source of military strength to the people of Great Britain, to say nothing of what may be transported during the summer season in cattle and dairy products and things of that kind. There have come to this House various corporations who have sought and are seeking to take part in the opening out of that Hudson's Bay route. I think there are five or six railway charters that are being passed or have been passed during the last ten years for the purpose of reaching the bay. The Winnipeg and Great Northern everybody is acquainted with. That has been before us several times. There is in addition to that the railway charter that is now being applied for called The Calgary and Hudson Bay Railway which is to open out the bay and connect Calgary, and to connect Edmonton with the Hudson Bay. Then there is another charter called the Winnipeg and Nelson River Railway. I do not know whether there is any other charter in the North-west. I cannot call to my mind any other charter in the North-west. But we have as we come east here two or three charters that are seeking an outlet in the bay. We have a charter projected from Sault Ste. Marie north to James Bay. Then we have again the charter that was before us in this House last week. That is the Toronto, Nipissing and James Bay Railway. Then there is another charter from the province of Quebec, I think. Now these are all these corporations that see a future in the opening out of that bay. Of course the railways that are being developed to the

bay from Eastern Canada are not of the same value or importance as they are to us. To us the building of a railway to the bay is to give us additional transportation for a enormous produce that we are capable of raising. The countries through which the railways in the east pass do not possess that particular feature. It may be that they are more for the development of the country that may exist and that may be worth developing between those points and the James Bay itself. With us it is a matter of great financial importance, great commercial importance, the securing of additional transportation for the large amount of heavy produce that we are capable of raising if the conditions are made so that it is profitable to attract the population there in order to raise it. There is practically no limit as far as this generation is concerned as to the amount we are able to raise. It is simply a question of the profit that can be made by the population that is there in producing it, increase the profit you increase the population. Now there was a point which I wish to refer this honourable House to, and that is to try and remove to a certain extent any feeling that there should be a jealousy of diversion of trade from eastern channels. I think myself that four months is the outside that we may expect that the Hudson Bay will be serviceable as an outlet. Enthusiasts would like to increase that amount to five or six months, but I think myself it is very doubtful if we get more than four months, possibly it may not be quite as long as that where the difficulties of navigation may be reduced to such a point that insurance can be obtained for as long a period as four months. However, that, of course, experience only will dictate to us, but during eight months undoubtedly the trade must find its way through eastern channels. It must find its way through eastern channels and therefore any increased development that takes place in consequence of a cheap mode of transportation by that route must rely during eight months of the year upon the trade which is developed through our country in the east. It also stimulates competition. If we can reduce the cost of transportation by way of the bay the railways running in this direction have to reduce their rates to competing points. That is what has been going on in the United States. Competition, competition, competition. With us there is no competition, and

to the extent that there is no competition, that it is restricted by protective duties or restricted by any artificial means, to that extent the development of the country is retarded and it is not desirable that we should permit the progression of the country and national advancement of the country to be retarded in any way by selfish or restrictive measures that are made for the purpose of diverting trade into favoured channels, or for the benefit of favoured individuals or favoured corporations. And therefore to the extent that we are able to develop that competition, we advance the wealth of Canada to the extent that we are able to cheapen the trade route for the benefit of the producers of that western country, to that extent you add to their prosperity, to that extent you add to their population, to that extent you add to their wealth, and to the extent that you add to their wealth and their population you add to the greatness of Canada, you add to the trade that must of necessity always be tributary to Canadian channels. Unfortunately the conditions which exist to-day we find is that a very large proportion of the grain, two-thirds of the grain that finds its outlet for export to European markets goes by way of New York. In fact two-thirds, if not more, of the grain we produce and export, two-thirds of it goes by way of New York to a European market instead of going down to the port of Montreal. Instead of ships coming and going, instead of the port of Montreal being built up as one of the great sea-ports, occupying one of the finest positions at the foot of the best chain of lakes and inland transportation that the world knows, notwithstanding that advantage what do we find? That the port of Montreal is not seeking to develop and make itself a great ocean port the same as Liverpool, the same as New York, the same as Boston, and I am not exaggerating when I hold out the hope and the expectation that such a result would flow because quite as large and quite as wealthy a country lies at the back of the city of Montreal as lies at the back, you may say, of Liverpool or Manchester. The amount of produce that is to be brought from these sources and that applies to the west of both sides of the line is such that Montreal could very well expect if trade restrictions were removed to become a city of five or six or seven hundred thousand of a population within the present generation. Instead of that they

seem to prefer to be satisfied with a few small manufactories developed at the expense of the population, that are continually coming to grief in consequence of the restricted area within which they are able to pursue their avocations and continually depressing the advancement of population and the advancement of our national strength. If the people of Montreal and Toronto and these large centres that are favourably situated for ocean transport would realize what a magnificent field there is open to them to build them up as wealthy cities, to enable them to take on this continent a more leading place on the continent. They would realize it by developing competition in transportation, developing competition in trade, opening out the markets of the world to the trade of the world. Let it pour itself in through the ports of Canada and you will see such a rise and progress in the national advancement of Canada that will astonish every one. Now, hon. gentlemen, these are the results that are brought about by allowing the physical energies of the people an opportunity to find its way instead of confining them and the physical energies of the people of the North-west are intent upon the opening out of that Hudson Bay route because they see for themselves and for their country and for Canada great possibilities by so doing. For these reasons hon. gentlemen it is almost an annual occurrence that a debate of this kind takes place in this House, a constant repetition will impress upon the minds of hon. gentlemen the importance that there is in the development of this route and it is my excuse for taking up the time of the House in dwelling upon it perhaps from a little different standpoint each year as we bring the question before hon. gentlemen. I should have mentioned that in addition to the railway companies which are projected to reach the bay a new corporation is seeking a charter and that is a canal, the building or constructing of a canal from Winnipeg to the Hudson Bay by way of the Nelson River or rather by way of the Red River, and the Hayes River, which is parallel to Nelson River about 100 miles to the south of it. The route of this canal has been gone over during the last season by practical engineers. There has been what is known as a boat route for the Hudson Bay traders for the past hundred years and has been utilized by them for that purpose and therefore is an interesting one

and one that is perfectly practicable at a very small cost. I will read, as I think it is the first time that it has been brought before the public, the report of the engineers that went over the route last year. They say :

The proposition to connect Winnipeg with Hudson Bay by the improvement of the existing waterways is neither novel or chimerical. The Red River of the north, flowing for 600 miles from south of the International boundary to its northern outlet on Lake Winnipeg presents with the lake, a navigable stretch of nearly 1,000 miles, broken only by the rapids on the Red River a hiatus of not more than ten miles altogether. The Nelson or sea river as the eastern branch of that river is called, is navigable for 38½ miles farther, to the point of departure on the proposed chain of communication. From that point north easterly to Hudson's Bay there exists navigable stretches of 330 miles, broken only by surmountable obstacles embraced in a total distance of less than fifty miles. The existing open channels are both wide and deep, and the banks are uniformly of sufficient height to admit of a greater depth of water by means of dams, were such are necessary, in order to group the rapids for canals and locks to overcome the descent. It is not proposed that a greater depth than seven feet of water shall be at present provided as that would be sufficient to float barges of 500 tons capacity, such as recently have been constructed at Cleveland for use on the upper lakes and Erie canal. These barges are of whaleback pattern and are stated to draw 5 feet 6 inches water loaded.

The canal is exclusively a popular highway, upon which all vessels have a right of way; the locks upon which are regulated by government in proportion to its cost and capacity. No combination can control the cost of transportation over its length, which depends upon individual vessel owners, and is regulated altogether by the number of vessels competing for the traffic. Unlike a railway, therefore, it cannot be operated for the sole benefit of stockholders, and is essentially a public highway. Not only is it in itself an enormous factor in transportation, bringing goods at the lowest cost of transport, but by its very existence it exercises an immediate and dominant influence upon railway charges which must bear comparison with its rates. Canals do not obviate the necessity for railroads, but rather the contrary as has been proved in numberless instances in both the United States and Europe. Where canals have first existed, railways have been built paralleling their route, competing for the traffic that the existence of the canal has created. It may be said, therefore, that canals create railways rather than destroy their usefulness.

This is the route that the report covers :

For over 100 years the traffic of the Hudson Bay Company between Norway House and York Factory was carried on in flat bottomed boats capable of carrying a load of four to five tons, with a crew of nine men. These boats draw from 3 feet 10 inches, 3 feet to 3 feet 6 inches of water when loaded, and are provided with a mast and square sail, like lighters, as well as with oars. When

coming up a rapid current, a line is attached to the boat which is pulled or tracked up by four men walking on the shore, while the remainder of the crew pull or pole the boat. These are locally known as York boats. Leaving the Sea River about three miles below Sea River Falls, on the downward journey by the loaded boats, which are unloaded and tracked up when going against the current, a small river emptying from Hare Lake is entered and followed for about 30 miles in an easterly direction until the waterway comes to an abrupt termination at the height of land known locally as the Painted Stone Portage, 29 yards in width, and with a summit of about four feet midway between the eastern and western channel. It is a curious fact that the existence of a wide and deep channel on each side of such a narrow elevation has not hitherto attracted remark, while it presents the singular phenomena of two full grown rivers or waterways, and with a current setting eastward and the other with a current setting westward, each apparently without reason for existence from any drainage area, and the head waters of both of which are practically at the same level. The western channel of the Echimamish (signifying in Cree "the river that runs both ways") is followed through alternate wide and narrow channels for 20 miles until Robinson's Portage is reached, which is three-quarters of a mile in width, with a descent to Frankinslake of about 45 feet, thence for 50 miles passing through a rocky gorge with a wall from 70 to 80 feet high, and several rapids across Pine Lake and Windy Lake to the channel leading into Oxford Lake, whereon four rapids and one fall of five feet obstruct the passage. Thence across Oxford and Back Lake by Trout River to Knee Lake, whence the route lies through Jack River, with five rapids, Swampy Lake, Hill River, Steel River, and Haze River to York Factory. In the downward journey it is necessary to haul the boat over three portages only, viz.: At the Painted Stone, 29 yards; Robinson's Portage, 1,315 yards, and Trout River Fall, 24 yards respectively. In the upward journey there are 21 demi-charges or tracking places, where a portage of 40 yards must be made at Island Portage. The distance over this route from Lake Winnipeg to York Factory is stated by Thompson to be 372 geographical miles.

Now, that is the route that this canal is supposed to be constructed upon. I will now give the distances of this canal between Winnipeg and the Hudson Bay. The distances along the line of route heretofore described are approximately as follows:

	Miles.
Winnipeg (city) to foot of St. Andrews rapids.....	16
Head of Red River navigation to Lake Winnipeg.....	26
Mouth of Red River to Warrans landing (Lake Winnipeg).....	270
Warrans landing to Norway House.....	23½
Norway House to Winter Portage (Sea River).....	15
Winter Portage to Molson's Lake.....	12
Molson's Lake to Inlet White water River.....	22

	Miles.
White water River.....	12
Echemamish and Robinson Lakes to Portage.....	12
Robinson Portage.....	¾
Franklin Lake to Portage.....	12
Portage between Franklin Lake and Lake Max.....	¾
Lake Max to Pine Lake.....	11
Pine Lake and Channel to Windy Lake.....	10
Windy Lake and Channel to Oxford Lake.....	12
Oxford Lake and Jackson's Bay.....	24
Jackson's Bay to Knee Lake and portage (3).....	8
Knee Lake.....	40
Jack River.....	10
Swampy Lake.....	10
Hill River to the Rock.....	26
The Rock to York Factory.....	169

Totalling up altogether 681½ miles the last 100 miles of which is navigable for boats drawing 7 feet of water.

The navigable stretches for canal boats and steamers of light draught without improvement are approximately as follows:—

	Miles.
Head of navigation on Red River to Winter Portage on Sea River.....	334½
Musketabaan Channel, Molson's Lake and White River to Fall.....	36
White Water River, Echimamish River and Robinson's Lakes to Portage.....	24
Franklin Lake to Portage to Lake Max.....	12
Lake Max, Pine and Windy Lakes, and intervening channels to the first rapids on Winnipinais.....	27
Oxford Lake and Jackson's Bay.....	24
Knee Lake.....	40
Swampy Lake.....	10
The rock to York factory.....	109

That is 616½ miles?

The distances which would require to be improved are as follows:—

	Miles.
Rock cutting, height of land, White Water Falls, Robinson Portage, Lake Max Portage, Winnipinais River (two cuts), Mission Portage (3 cuts).....	4½
Dredging, sand and marsh, Winter Portage Bay, Musketabaan, Robinson Portage, Pine River, Mission Creek and Knee Lake Creek and three other points.....	14
Improvement by dams and rocks, Red River, Jack River, Hill River and other points.....	681½

That is 51 miles altogether in the whole of that distance, requiring any improvement to make it navigable from the city of Winnipeg to the Hudson Bay. I do not think that all of that requires canalling. It includes all the portions where obstructions have to be removed, such as blasting shoals and removing boulders. Of course, that opens up an entirely new field.

Hon. Sir MACKENZIE BOWELL—
Have you any statement as to the length of time the navigation is available?

Hon. Mr. BOULTON—I have stated that we have nothing but what the reports tell us.

Hon. Mr. McCALLUM—About four months.

Hon. Mr. CLEMON—About one month.

Hon. Mr. BOULTON—The hon. gentleman from Rideau wants a canal built from French River to Montreal, which will be closed a great portion of the year. What I contend is, that a vessel should be sent up there, manned by Nor'-westers, who want to find out what the truth is, and not by people who, perhaps, do not want to see the bay opened up. We will get more information in that way. I will just read one extract—of course, we have had several extracts dealing with the question—from the evidence of James Ward :

Left Stromness on the 6th July, 1882, on the Hudson Bay Company's ship "Prince of Wales," reached York Factory in five weeks and three days, were 19 days reaching Resolution Island at the eastern entrance of Hudson Straits. It took us 17 days to get through the straits on account of calm weather and floating ice. A sailing vessel cannot push through the ice without a fair wind. We would not have lost two hours in a steamer. When we reached the eastern entrance of the straits, we met five American whalers. They took the south side of the straits while we took the north. They made the trip through the straits in about three days and met no ice. Our voyage was an exceptional one. Captain Hurd, who commanded the vessel, told me that was his 46th trip through the straits and he had never seen so much ice before. After reaching Mansfield Island, at the western end of the straits, it took us but three days to reach York Factory where we arrived on the 12th August. Hudson Bay was clear of ice and as smooth as glass; have often heard old employees of the Hudson Bay Company say that the bay was clear of ice about the first of June. The ice begins to form on the shores of the bay about the first of November, but the bay and straits are open all the year round. There would be no use for the Hudson Bay Company's vessels leaving before July as they expect to bring back cargoes of furs from York Factory gathered at various points in the North-west, and if they arrived sooner than August, these cargoes would not be ready. I wish to express my firm conviction as to the feasibility of Hudson Bay navigation. We did not meet with ice all the way through the straits. The most ice was met from Resolution Island to Wegg's Island. Very little was met after passing that place. As regards which channel is the best no man can decide that. It depends on the wind. If the wind is from the north the north side will be the best; if from the south the south side of the strait will be the best.

I wish to state that the 17 days we were in the straits ice did not delay us all that time. From

the time we made Resolution Island we had head wind. We would beat up against the wind until Resolution Island would be lost sight of, and the turn of the tide would carry us back to the island. The current in the straits is very strong, no difficulty met with only when the wind blows with the current. I am surprised how people can doubt the navigation of the bay or straits on account of the ice. Not one man that has come over that route but believes in its practicability. Mansfield Island will be a good place for a lighthouse and station. There is a little lake of good water on that island.

The day before we made land we were sailing through large shoals of white whales, they being so numerous that we could see them turning on the ship's bows. All the ice met with in the straits was hummock ice, which was so rotten that when the ship ran against it, it would break. I believe more ice will be met in the straits in July and August than in May and June.

I was in Franklin Bay in August, 1865, and met a party of Esquimaux who had come from the Gulf of Boothia in canoes and boats. The ice set south about one month before they were able to travel by water.

JAMES WARD.

NOTE—The Gulf of Boothia empties through Fury and Hecla Straits (latitude 70° N.) into Fox's Channel, and thence through Hudson's Straits.

The reason the Hudson Bay vessels have always left so late is because there is no object in their starting sooner, because they have to take the return cargo of furs that are brought down to the coast and therefore they have to wait until the rivers and lakes are open in order to get cargoes.

Hon. Mr. McCALLUM—They have two delays, one to get in, the other for the furs.

Hon. Mr. BOULTON—I have given the evidence of one man; I could pile up evidence of that character that would make it perfectly plain to all who are intent upon the developing of that route, that it was a practicable route for a considerably longer period than we are led to believe it is by the government reports. Those reports themselves are contradictory. Captain Gordon's reports of his first trip were much more favourable than his reports of the second trip and it really looked as if the second trip was made for the purpose of counteracting any effort the first trip would have.

Hon. Mr. McCALLUM—Tell us all about the fishing up there.

Hon. Mr. BOULTON—We want to know more about the fishing, because we would be glad to supply the fishermen with flour and beef, if they would supply us with fish.

That is the way the trade is developed, and mutual benefits are conferred. If this canal is practicable, it opens up an entirely new field, because the route passes through regions that may possess mineral wealth, that can only be developed where water communication is available. It may be the means of Nova Scotia sending coal to the heart of the continent, with water transportation the whole way to Winnipeg. Hon. gentlemen know perfectly well that the cost of water transportation is about one-fifth the cost of transportation by rail, and, when it comes to heavy freight, a canal would be a great factor in assisting us in the development of the Northwest. We could bring Nova Scotia coal at the very lowest possible cost, so far as transportation is concerned, into competition with coal from the south and west. That is what we want. That is the life of any country—competition. We have to sell everything that we produce at competitive prices chiefly in the British market, and we want to be able to buy everything that we purchase at competitive prices. When we can do that, then we can rank with the progressists of the age, and our country will advance in national greatness and strength. I am in hopes that I may be able to impress upon the minds of hon. gentlemen, and, through the Senate Debates that are distributed to the press, the public, the national advantages to Canada in the opening out of this route. I should like to dwell a little upon the question of the amount of grain that we export, and the peculiar fact, so far as navigation is concerned, that the bulk of it is going by way of New York, instead of by way of the city of Montreal.

Hon. Mr. POWER—I do not see what that has to do with the Hudson Bay.

Hon. Mr. BOULTON—Last year I asked for a return showing the amount of grain put into the elevators at Fort William and the amount shipped by water, the nationality of the vessels carrying it and the destination of the grain. I did not get that return until this year, and then did not get all that I wanted to obtain. They would not give us, who ever is responsible for it, the quantity that was graded out of the elevators, nor would they give us the nationality of the vessels or the destination of the grain. They did not want to give us official information that would be a guide to us as to the effect

of the grading of wheat, I presume for reasons best known to the government authorities, but this is the return that was brought down:—

The number of bushels of wheat delivered to the elevators at Fort William were, according to the information obtained from the Canadian Pacific Railway Company, as follows:—

1887	Not available.
1888	Not available.
1889	4,348 cars.
1890	3,604 “
1891	8,565 “
1892	12,430 “
1893	12,448 “
1894	16,055 “

Each car may be estimated at 660 bushels. All grain inwards is inspected.

So that from 1888 to 1894 the grain that passed through the elevator at Fort William, which is only a portion of the grain of that great western country—some of it goes by way of Duluth and some of it goes out in flour—increased from 4,000,000 to 11,000,000 bushels. It goes on to say:—

The number of bushels loaded on vessels from the said elevators was

In 1887	1,980,653 bush.
1888	4,183,2
1889	3,191,702 “
1890	2,267,165 “
1891	4,914,328 “
1892	6,628,055 “
1893	8,197,971 “
1894	11,161,596 “

All wheat inspected outwards, except that of two firms aggregating about 8,441,000 bushels, during the period named.

There must be some means of getting that information. Surely we keep track of foreign vessels that come to our ports, and go away from our ports. I cannot understand that the information is not available as to the nationality of all the vessels that carried that enormous amount of Canadian produce, or the grade of the wheat that leaves the elevators. If no track is kept of that, there is no assurance that our customers get the grade and quality upon which the farmers alone are paid; and it is thus rendered possible that an unfair advantage can be taken.

Hon. Sir MACKENZIE BOWELL—You will find that in the trade and navigation returns—the tonnage of the different vessels—it does not give the cargoes.

Hon. Mr. BOULTON—Of course the cargo might be iron ore, or anything at all.

I particularly wanted to know exactly the destination of the grain, in order to argue the reasons why the grain is lost to Canadian transport—why, instead of going by way of Montreal it goes to build up United States seaports instead of building up our own. There must be some reason for it and I was wanting to get at the bottom of it:—

No account is kept of the nationality of vessels, either by the Canadian Pacific Railway or the Department of Inland Revenue.

With respect to the grading of the grain so loaded on vessels ex-elevators, the department has not the means at hand or available to determine. The returns required by the Inspection Act, to be furnished by inspectors, have relation to the whole quantity inspected, without reference to whether inspected inwards or outwards.

There are no written conditions fixed by any board. The classification of grains is determined by the Inspection Act itself; the board merely selects annually actual samples of the season's grain to interpret the classification.

That is the return which gives us the information so far as it is available. I should like to read also what information I have obtained myself outside of the report with respect to the wheat crop of 1894. The Winnipeg Board of Trade's report gives the following exports from 1886 to 1894:—

WHEAT (including Flour).

	Bushels.
Crop (1886).....	4,000,000
do (1887).....	10,500,000
do (1888).....	4,000,000
do (1889).....	4,500,000
do (1890).....	11,500,000
do (1891).....	14,000,000
do (1892).....	14,000,000
do (1893).....	12,000,000
do (1894) estimated.....	15,000,000

Of the wheat crop of 1894, there was exported from Manitoba in grain and flour 15,150,000 bushels, of which 11,480,000 bushels went via Buffalo. Of the crop of 1895, up to December 1st, out of 8,183,175 bushels exported, 4,862,000 went to Buffalo, and 3,321,175 bushels went to the mills in Keewatin and Ontario. It will thus be seen that Canada gets only the advantage of a short haul, and no benefit from the lake freight, as, owing to the coasting laws, the grain destined for Buffalo must be carried in American bottoms.

As to the crop of 1895, a prominent grain dealer says the estimate of the provincial is too small, and his buyers assure him that the wheat crop is fully 40,000,000 bushels, oats 25,000,000 bushels, and barley 6,000,000, and other grains and flaxseed 2,000,000 or a total yield of grain of 73,000,000 bushels, which, with the North-west Territories' grain, would give a total crop of 79 to 80,000,000 bushels. He considers even this to be a conservative estimate, which may possibly be increased, but is hardly likely to be lessened, when all returns come in. Of this crop the Canadian Pacific Railway has moved about 8,000,000 bushels, and has

in its elevators 2,000,000 bushels, while in all the other elevators there is stored about 6,000,000 bushels, shipped by other railways 4,000,000 bushels, accounting in all for about 20,000,000 bushels, leaving one-half the wheat crop still in the hands of the farmers, with no immediate prospect of realizing upon it, and no possibility of selling their coarser grain.

That, I think, is a fair and reasonable statement of the condition of the crop for this year. It shows also the diversion of a large quantity of grain from Canadian channels. In consequence of the Canadian Pacific Railway having reduced the all-rail rate on their grain five cents a bushel, from Fort William to Montreal, there has been a considerable trade this winter which has contributed largely to increase the exports of Canada during January and February over the corresponding months of last year. The reduction of five cents has made it possible for the people of the North-west to ship by the all-rail route, whereas if it had been maintained at the old rate, it could not have been done with profit by the western producers. It only shows you what competition will do. It increased traffic on the railway in January and February over the corresponding months of last year very considerably. If that reduction was only applied over the whole of the Canadian Pacific Railway system, the company would find that the volume of trade would more than compensate them for the reduction of rates. Here is a report from the Board of Trade which I should like to read. It covers very much the same ground, so far as the export of the crop is concerned. In 1886 the crop export was 4,000,000 bushels; in 1887, 10,000,000; in 1888, 4,000,000; in 1889, 4,500,000, and so on, and in 1894 it was 15,000,000 bushels. Those are the exports which show the variation in the quantity of grain exported each year. Then I wish to show hon. gentlemen the climatic difficulties we have to contend with in addition to the difficulties of transportation there. I am not one of those who think we should be silent as to the difficulties that we have to contend with lest we might keep away intending settlers. The settlers who come there knowing the truth will be much better satisfied to stay than if they are induced to come by false promises or by hiding the whole truth, and therefore I do not wish any one to think or realize that we have not got our difficulties to contend with naturally, difficulties that

may be overcome by changes of policy and system, introducing competition. Those are difficulties which may be overcome by our own will but there are difficulties which cannot be overcome, which are climatic and providential. I will show you now how the varieties of wheat are graded. No. 1 hard is perfectly pure quality regulated by inspection; then we have No. 2 hard, No. 3 hard, No. 4 hard and so on. I will only read the proportion of No. 1 hard. In 1886 the No. 1 hard crop was 61 per cent. In 1887 it was 10 per cent. In 1888 it was only 19 per cent. In 1889 it was 41½ per cent. In 1890 it was 15½ per cent. In 1891 it was 23 per cent; in 1892, 47½ per cent; in 1893, 81 per cent; and last year I think I am correct in saying, as far as I am able to judge, that it was 65 per cent, but that shows you the variation of the value of the crop from the point of view of the grade. It ranges all the way from 15 per cent of No. 1 hard to 80 per cent as in 1893. The rest of the crop was reduced in price somewhat, in consequence of the inferior quality of the season's grain; that is to say, it had been touched more or less by frost. It reduced the merchantable value of the grain. Every year the danger of frost is lessened by improved methods of farming. Careless farming increases the liability to frost, so that difficulty will be lessened as time progresses.

I will here place on record one of the resolutions that was passed by the emigration convention, lately held in Winnipeg, a convention of 200 delegates composed of the leading men of that western country from Winnipeg to Vancouver. No. 8 reads as follows:

8. That in the opinion of this convention no scheme for promoting immigration will be broad enough to touch the interests of all sections of Manitoba, the North-west Territories and British Columbia that does not provide for an outlet for the products of the whole country, and place the various provinces and territories in the north in favourable positions in respect to the markets of the world, and this convention wishes to place on record its endorsement of the Hudson Bay route as the only scheme now mooted which will benefit the aforesaid requirements.

I will also read a portion of Mr. Munro's remarks at the convention, as an evidence of the estimation of the agricultural capabilities of the country by a practical man:

D. D. Munro, Neepawa, said that we have cause for glorification in the possession of a grand

country. He came to Manitoba from New York state, of which he is a native, and established a new home here. He had done fairly well, and was satisfied that his move was a wise one. His son, who was at present visiting the old home in New York, wrote him: "Father, if we had the same conveniences on our farm in the way of buildings and labour saving devices, it would be the most perfect home in the world." He thought that was the kind of information that would tell in immigration work. Continuing, Mr. Munro said:

About twelve years ago, a miller in New York State received, among others from Minneapolis, a sample of "Washburn" wheat. After much inquiry it was reluctantly admitted that it was grown in Manitoba. That sample an outstanding winter, as compared with the best from the North-western States, created an impression, which led to further inquiry, which led the miller to Manitoba, where he is now a successful farmer, and a loyal Canadian. In 1889, two farm labourers from England, without money, came to work for me. They each took homesteads. Another in 1890 worked for me, his brother for a neighbour. Each took homesteads, and earned money to buy oxen and implements to start with. In 1892 two more from England came to work for me. They had about \$200 in money, saved their earnings, and bought land, oxen and cows. In 1895 these six produced almost a train load of grain. They have six good quarter sections, and good outfits. All are now comfortably situated, and increasing their herds. They were the right material, to bring success to themselves and to Manitoba and in their turn to furnish employment to others, to help build up our towns, and to furnish business for our railways. The inducement that brought these to Manitoba was the field for wheat cultivation. I believe it is a mistake, under present conditions, to stimulate this idea so exclusively; but rather to show also the advantages of the country for productions of the dairy, and for beef, pork, mutton, &c., in connection with our famous wheat, as the best means for permanent, profitable employment; and most conducive to the welfare of our country in husbanding the resources of our soil. The decline of old settled countries is usually distinctly traceable to the exhaustion of their lands. During the present month a farm in New York was sold for \$20 per acre, that a generation ago would have brought \$100. These values are the measures of their profitable production.

Hon. Mr. POWER—I hope the hon. gentleman will excuse me, but I feel it is my duty as a member of the House to call attention to the fact that the hon. gentleman is out of order. We allow a good deal of latitude here, and I have always favoured allowing latitude; but the notice which the hon. gentleman has put on the paper says that he will inquire if it is the intention of the government to despatch a vessel to Hudson Bay, with a view of obtaining further information in regard to its navigability as an ocean route; and now the hon.

gentleman is giving us a very elaborate discussion on the manner in which wheat is graded. What earthly connection is there, looked at from the point of view of order, between the two things? In the first place it is straining the rules to make a long speech on a mere question; but making a speech so completely away from the question which the hon. gentleman has asked, is clearly out of order. I do not rise because I am anxious

to cut off the hon. gentleman's speech, but because I have reason to believe that the irrelevant matter which he is now dealing with is likely to lead to speeches by other hon. gentlemen in this House. The hon. member has now had an hour and a quarter, and I do not think we should be kept here until six o'clock listening to the discussion of a subject which has been discussed time and again in this House. I raise the question of order.

Hon. Mr. BOULTON—I do not see why the hon. member should put a check on me or any member of this House who desires to point out what is to the advantage of the country. I want the hon. gentleman to understand we have only five representatives from the province of Manitoba, and the Senators have to throw in their weight and age with the representatives from other parts of the Dominion to bring facts and figures before the country, in order that the progress and development of the North-west may go on.

Hon. Mr. POWER—I raise the question of order. The representatives of Manitoba and the North-west do their share of talking as well as the rest, and they should not make their speeches contrary to the rules of the House.

Hon. Mr. BOULTON—The hon. gentleman overlooks the fact that the whole object of my address is to show the necessity of competition.

Hon. Mr. POWER—I persist in the question of order.

Hon. Mr. BOULTON—I am giving my reasons for introducing the question of grain into the subject. I want to show the necessity for competition and the reduction of rates, and I want to show that we have climatic difficulties to contend with as well

as the difficulties of monopoly. I want to show that in opening out that route there should not be a feeling of jealousy, because our grain is now going by New York instead of Hudson Bay. And I want to remove from the minds of hon. gentlemen of this House the idea that they are going to be injured in any way by the deflection of the grain to the Hudson Bay. It is in order to show these matters and the difficulties we have to contend with in the transportation of grain that I am dealing with the subject on this inquiry.

Hon. Mr. POWER—I ask for the ruling of the chair on the question of Order.

The SPEAKER—I have not the rules under my hand, but I think I can say with a great deal of precision that the hon. gentleman is not in order. As the hon. senior member for Halifax has remarked, I do not believe that long speeches should be made on questions put by hon. members; moreover, the policy of grading grain raised in the North-west has very little to do, or if it has any anything to do, it must be very indirectly with the question that the hon. member put with reference to Hudson Bay. In my opinion the hon. gentleman is not in order.

Hon. Mr. BOULTON—I submit to the ruling of the Chair. I regret that the hon. gentleman from Halifax should have placed the Speaker in that position that he was obliged to deny me an expression of my views, because I do not think there is any point to be gained by confining me. I do not suppose hon. gentlemen in this House are yet prepared to endorse the Hudson Bay scheme to the extent of supporting a motion that in the opinion of this House it would be expedient to develop the resources of the Hudson Bay, and, therefore, it is only in this way that I can get justness in the expression of opinion, and in the distribution of information, because I wish to say it is not for the information of the hon. gentleman from Halifax that I am speaking. It is for the information of those people who have access to the Debates, and it may be of advantage in the prosecution of the enterprise, from their standpoint, that I am speaking. I will not enlarge upon the question of the grading or the transportation of grain from Fort William or its diversion

to Buffalo, and, of course, so far as navigation is concerned, I have said all that is necessary for me to say, so far as it is applicable to the question I have put before the government. I may have to take the opportunity by putting another motion on the paper, and inflicting on the hon. member from Halifax another speech of an hour which might have been avoided, in order to bring that question up before the House.

Hon. Mr. POWER—I simply think there should be some order. The hon. gentleman need not be distressed about me.

Hon. Mr. PERLEY—Am I in order?

Hon. Sir MACKENZIE BOWELL—I do not know. I have looked at the rule and I do not see any provision for a case of this kind. I know there is a great latitude in dealing with questions—that is in discussing them. The point I wish to put is this, whether on bringing a question before the House as it is done here is it open to general debate. I think it has in the past been the practice. The older members of the House will know better than I do. I have noticed that in the Imperial Parliament when a question is put and answered by a minister, questions arising out of the answer which is given can be discussed by still further questioning, but I have never seen, nor do I know, that they go into a discussion for an hour or two upon the general principles affected by the question. It is a point I think that we ought to settle in the Senate.

Hon. Mr. McCALLUM—There are one or two points my hon. friend raised which I wish to correct with reference to wheat going to New York instead of going to Montreal.

Hon. Mr. PERLEY—It is with a very great deal of hesitancy that I muster up courage to say a word on the question now before the House, because I know full well the very great reluctance with which the House listens to members speaking on the question of the Hudson Bay route. Hon. gentlemen are inclined to treat that question with a degree of ridicule and sarcasm that would embarrass the ordinary man, particularly a man with my sensitive feeling, but as the hon. gentleman from Shell River has placed the question on the notice paper

and to relieve hon. members who do not like to hear speeches on the Hudson Bay, I may say that I am not an admirer of that scheme, I am not an advocate of the Hudson Bay Railway, because I do not think our country is sufficiently advanced in its productive capacity and volume of trade to warrant us in asking for the opening up of the Hudson Bay route. There are many things that would be much more beneficial to the Canadian North-west Territories than the Hudson Bay Railway, but I admit that all over the western country there is a feeling of anxiety respecting the Hudson Bay Railway. You cannot talk to a man five minutes without being told that the Hudson Bay is the proper outlet for the products of that country, and I am aware that looking at the map of Hudson Bay one would naturally say that it was destined by nature to be the outlet, but there is great doubt in my mind, and I believe in the minds of many others, as regards the feasibility of the route. I agree with the hon. member for Shell River, who has made an excellent speech on this occasion, that there is no act the government could do that would be so beneficial to Canada to-day as to make a thorough exploration, to test at what particular season of the year the straits are navigable, and then that would settle the question of the Hudson Bay Railway one way or the other. Any private man entering upon a new business would first find whether he could accomplish that which he undertook before he would undertake it. I think it is, to a certain extent, folly for the parliament of Canada to undertake to grant charters to build railways, canals and other public works to Hudson Bay without knowing what part of the year they would be useful, and whether, after all the money was spent in building the railway, the straits would be navigable. The first thing that a business man would do, would be to determine whether Hudson Straits are navigable for any considerable period of the year, and then, upon that information, they would know how far they were justified in building the Hudson Bay Railway. So far as I am concerned, I live in the North-west Territories, and am a farmer raising wheat, beef, pork and butter, and I am anxious to get the products of my hard labour to the market cheaply. There are two conditions in a man's life in getting wealth, first to produce an article and

then to get a fair price for it after it is produced. It is claimed by many people that the Canadian Pacific Railway Company charge exorbitant freight rates. How far that may be true I am not prepared to say. I am not a railway man, but I know the Canadian Pacific Railway Company have rendered the country valuable services. We get the finest railway service in that country of any new country in the world. I can travel east or west every day in a Pullman car if I choose, and get any accommodation that my means will command. My hon. friend has given you the quantities of wheat exported from that country for several years. Up to the present time the great article of export has been grain, and with that amount to export from the country, I am doubtful whether it would be advisable, or a wise expenditure of money, even if we had the necessary information available, to build a competing line—not a competing line, I do not think that is a fair term to use, but to build a line to Hudson Bay, even if the straits were navigable three or four months in the year. The hon. member seems to be in doubt as to the time they are navigable, because for a large portion of the year we would have to depend on the Canadian Pacific Railway, even though we had a line of railway to the bay. We are not producing anything in that country compared with what we will produce ten or fifteen years hence. If we compete with the present accommodation, the Canadian Pacific Railway Company would have to charge more during the long season when there would be no competition, because railways are run on business principles, and are not run to lose money. We should produce more in that country and increase the exports, and then the Canadian Pacific Railway will give us lower rates than they give us to-day. In that particular I think it would be unwise to incur the large expense which would be necessary to build the railroad to Hudson Bay at the present time. The farmers of the country had better be encouraged, and obstacles and impediments that are in their way removed by this parliament before other works are undertaken. It is a matter of greater moment to them to have these things done than to have the Hudson Bay Railway built. It is better for us to make the present population in that country prosperous and contented, than to encourage other people to come in while the

discontent and dissatisfaction which we find to-day continues to prevail. Therefore, I suggest that it would not be advisable to keep the people of that country in a state of ferment about the Hudson Bay Railway, but rather let us legislate to give them more advantages than they enjoy to-day, to give them lower rates, because in proportion as we produce, the Canadian Pacific Railway Company will cheapen rates and improve their service. We are all Canadians, interested in developing the resources of the country. We know that the people of the eastern provinces have done a great deal to open up that country, and we recognize the fact that the Canadian Pacific Railway is giving us a good service, but I want to say this, because I was struck to the heart the other day when I was in a committee here and the subject of grading grain to which my hon. friend has referred was under discussion, when I heard a member of the board of trade of the city of Montreal state, that they had bought the North-west and own it to-day and they had a right to say how the grading should be done.

Hon. Mr. BOULTON—Under the rule which stopped me I think the hon. gentleman should be declared out of order. I rise to a point of order—if the hon. gentleman is going to make himself the defender of the Canadian Pacific Railway Company to the detriment of the general development of the country, I think I must reply, and I ask the Speaker to apply to him the same rule under which I was ruled out of order.

Hon. Mr. PERLEY—I am not out of order because I am replying to remarks which the hon. gentleman made to-day.

Hon. Mr. BOULTON—I ask for the Speaker's ruling. I was cut short in my remarks.

Hon. Mr. PERLEY—Am I to understand that I am not permitted to discuss the grading of our wheat?

Hon. Sir MACKENZIE BOWELL—You should confine yourself to the question whether the government shall send a steamer to Hudson Straits this summer.

Hon. Mr. PERLEY—If that is the case I am afraid I am knocked out. My hon. friend from Shell River roamed all over the

continent in discussing the question that he put on the order paper. I agree with him that it would be a business-like transaction for the government of Canada to send a thoroughly well-equipped vessel to Hudson Bay. The steamer should leave Liverpool say in June, and begin to take observations on reaching the straits. To avoid the difficulty that we are met with to-day, that a man is to be stopped because he is advocating a certain course, I would suggest that you should have men from Ontario, Manitoba and the North-west Territories on that ship who could report on the navigation of the bay and straits, and whose report would inspire confidence in eastern Canada, and then, in advocating the transporting of our products by that route, we would be advocating a practicable project or we would not advocate it all. I would send a vessel there thoroughly equipped and manned for the purpose of taking observations every six hours as to the direction and speed of the winds, the character of the currents, the depth, nature and movements of the ice and all other information bearing upon the navigation of the straits and bay. I would let the vessel stop there as long as would be necessary to determine the length of time the straits and bay are navigable each year. Then, we would know, in granting charters in this House, whether we were granting a charter which would give returns for the money spent in building the Hudson Bay Railway if anyone could be found willing to undertake the work. I wanted to bring before this House some of the grievances of which some of the farmers in the North-west complain, but I have been ruled out, and I must close now, but I shall seek another occasion to bring the subject up.

Hon. Mr. McCALLUM—I should like to give the reason why so much of the trade of the North-west goes by way of Buffalo and New York.

Hon. Mr. PERLEY—That is out of order.

Hon. Mr. McCALLUM—State the point of order.

Hon. Mr. PERLEY—The hon. gentleman is not speaking upon the question of sending a vessel to Hudson Bay.

Hon. Mr. McCALLUM—I have not reached that yet. Hon. members from the North-west can make their minds easy about the feeling in the eastern provinces. There is no jealousy in Ontario about the Hudson Bay Railway. We have got just as much interest in the development of that country as they have. As soon as we know that the route is practicable, and that the finances of the country are equal to the undertaking, we are perfectly willing that the road should be built, but I have my own opinion as to the length of time that the navigation of the straits is open. I should be perfectly willing to see a reasonable amount appropriated to ascertain whether the route is practicable or not. The government has been held responsible by some hon. gentlemen for the trade of the North-west finding an outlet by way of Buffalo and New York, and we have been told that we are not going fast enough. I ask, where will you find any 5,000,000 of people who have accomplished more than the people of Canada in the way of making public improvements? Let us take stock and see where we stand? Honourable gentlemen say the trade is going to Buffalo, and from there to New York. I am sorry for it, but let us see what one of the railway kings of the United States, Mr. Chauncey Depew, says on the subject:

The present ruinous competition between the railroads of this state and the canal boat men, Chauncey M. Depew says, was brought about by the efforts of the several railroads interested, to even up their percentage. The railroads are carrying freight cheaper than the canal boat men can afford to carry and are at the same time losing money.

Our St. Lawrence canals have at present a depth of only nine feet, and we are spending millions of dollars to deepen them. How long will the United States railroads continue to lose money when we get fourteen feet of water to Montreal? You must not be too fast. You cannot bring things about all at once. I rose merely to show the cause of the grain going by way of Buffalo, and to say that there is no jealousy in Eastern Canada about the Hudson Bay route. We have valuable interests there, but it would not pay us to build a railway to Hudson Bay until we know whether the route is practicable or not. I would be no party to vote money to build a railway over icebergs and rocks to Hudson Bay until I know that

the route is practicable. When it is proved to be practicable, and as soon as the finances of the country will permit of it, there will be no jealousy on the part of the eastern provinces of this Dominion to give an outlet to that great country.

Hon. Mr. PERLEY—My hon. friend from Shell River says that I am advocating the Canadian Pacific Railway: I deny the charge in toto. I give credit where credit is due, but I am not here to boom the Canadian Pacific Railway in any unjust or unfair manner at all.

Hon. Sir MACKENZIE BOWELL—The question, though apparently a very simple one, has led to a very interesting debate, and while I am somewhat of the opinion of the hon. gentleman who took exception to the speech, I confess it was a very interesting one, containing a great deal of very valuable matter that may be of interest and benefit to us in the future. In reply to the hon. gentleman's question, I may say that it is not the intention of the government at present to despatch a vessel exclusively for the purpose indicated, but the Departments of Customs and Marine and Fisheries have under consideration the propriety of keeping a vessel in Hudson Bay, for some time, for the purpose of protecting the revenue and also for the protection of the fisheries. As most hon. gentlemen who have paid any attention to the matter know, fishermen from the United States have been poaching on our fishing reserves for many years, and taking from those northern waters a good deal of wealth which properly belongs to us. When these vessels are in the Hudson Bay, for the purposes that I have indicated, they can also ascertain the mean temperature, as indicated by the hon. member from Wolseley, and also the periods at which the bay is navigable, as far as practicable. The problem as to the navigability of Hudson Bay is one that people have been trying to solve for about two centuries past.

Hon. Mr. BOULTON—Successfully so.

Hon. Sir MACKENZIE BOWELL—If so, there is no necessity for us going to a large expense in sending vessels for the purpose of ascertaining a fact that has already been established. I have not that confidence which my hon. friend expresses in the reports which have been made by the Hudson

Bay Company in reference to the navigability of Hudson Straits. When I look back at the reports and the evidence furnished before a committee of the House of Lords in reference to the great North-west, in which those valuable territories were represented to be always frozen and unfit for settlement, I am inclined to have grave doubts as to the reliability of any reports which may be made by a company having such an extensive interest as they have in preserving to themselves the whole of the fur trade, at least of that section of the country. But the hon. gentleman should remember that the government has had in the Hudson Bay for two or three years some of the most able navigators and scientific men in the service of the country, including Ontario as well as North-west men, and I think it is extremely unfair for the hon. gentleman from Shell River to discredit the reports which have been made upon that subject because they happened to be in some respects contradictory. The snow fall in Toronto this winter has been very much greater than usual; would that indicate the character of the climate in that part of Canada? In the Bay of Quinté district, where I have been living for 60 years, I have known the bay to be navigable up to New Years and I have known it to be closed in the early part of December.

Hon. Mr. CLEMON—It is the same here at Ottawa.

Hon. Sir MACKENZIE BOWELL—To take a report of any one year of the climate of this country, and the effect which it has on navigation, would be extremely unfair. It is only by an examination and close observation for a number of years that the facts can be arrived at. We know that a French King gave away this country because he thought it was only "a few arpents of snow," and because he thought you could never get up the St. Lawrence. Time has developed the contrary, and I am inclined to think, to a limited extent, the future will prove that Hudson Bay, with the aid of steam navigation, will be a practicable route; when that arrives and the trade and finances of the country will justify the construction of the railway to which my hon. friend refers may be proceeded with. I shall not deal with the numerous objections that the hon. gentleman has raised.

Hon. Mr. McCALLUM—The hon. gentleman would be out of order if he did so.

Hon. Sir MACKENZIE BOWELL—I will not trespass in that respect. Personally, I have no fault to find with the hon. gentleman's speech. He gave a great deal of valuable information, and I hope he will live long enough to see the fact fully established that that route from the North-west is not only practicable, but a safe outlet for the grain products when they reach the millions that he mentions. Other thoughts suggest themselves to me in connection with that point, but having in my mind's eye the fact that I should be out of order if I gave expression to them now, I shall defer them to some other time. I hope my answer is satisfactory to the hon. gentleman.

Hon. Mr. BOULTON—I ask permission to withdraw my remarks with respect to the grading of wheat, as I was stopped in the explanation that I wished to make in regard to this question which would justify the quotation.

Hon. Sir MACKENZIE BOWELL—I do not think that is advisable. It is better that they should go on record, and also the fact that the hon. gentleman was called to order, so that we shall have a precedent in the future for keeping members within bound.

BILLS INTRODUCED.

Bill (K) "An Act further to amend the law respecting Building Societies and Loan and Saving Companies carrying on business in the province of Ontario."—(Mr. Aikins.)

Bill (69) "An Act to incorporate the Hamilton Blast Furnace Company"—(Mr. MacInnes, Burlington.)

SECOND READING.

Bill (I) "An Act further to amend the Supreme and Exchequer Courts Act."—(Sir Mackenzie Bowell.)

REVISION OF THE STATUTES BILL.

SECOND READING.

Hon. Sir MACKENZIE BOWELL moved the second reading of bill (J) "An Act respecting the Revision of the Statutes." He said: The bill explains itself. It enables the government to appoint three or four commissioners to collect, classify and revise

the statutes of Canada since the last revision.

Hon. Mr. POWER—I do not say that this work is being undertaken too soon, and I do not rise for the purpose of opposing the second reading of the bill. I rise simply to make one or two suggestions. I do not suppose that they will carry very much weight.

Hon. Sir MACKENZIE BOWELL—They always do.

Hon. Mr. POWER—It is the duty of any member of this House, if he has a suggestion to offer with respect to a public bill, to make it. There are two defects in the last revision of the statutes, one that the index is a very inferior one, not constructed upon any scientific basis, and the other, that the Revised Statutes of Canada do not contain the British North America Act, a statute which above all others should be in that volume, because it is continually referred to. It involves almost no trouble and very little expense to put it there, and it should be in the same volume with the Revised Statutes for the convenience of those who use the volumes. The object of revising and consolidating the statutes is to save trouble to persons who are obliged to consult them, and such persons have continually to refer to the British North America Act. That is one point. There may be no necessity to make the other suggestion, but still it may do no harm to say a word about it. The second clause provides that the commissioners may be paid such an amount as may be voted by parliament and then it says:

notwithstanding, if they be civil servants, anything in the Civil Service Act to the contrary.

We know it has been the practice in some places to appoint as commissioners to revise the statutes, gentlemen who have no special qualifications for the business at all. Very often a man is appointed to revise the statutes whose only qualification is that he is a supporter of the government, holding a seat in one or other branch of parliament or the legislature, whom it is desired to reward for his services.

Hon. Sir MACKENZIE BOWELL—Is not that a good qualification?

Hon. Mr. POWER—Well I think there are two objections to that mode of proceeding. In the first place, the professional man who needs the money is likely not to be very well up in his business, and one wants men who are thoroughly qualified to do this work; and there ought to be, at any rate, some gentlemen in the civil service who are qualified to do this work better than the average practitioner.

Hon. Sir MACKENZIE BOWELL—I did not catch what the hon. gentleman said. Would he kindly repeat it?

Hon. Mr. POWER—I said I was under the impression that there were some gentlemen in the civil service who were quite capable of doing very valuable work indeed as revisers, and I was going to add—I do not know that I ought to do it, because we are never supposed to speak good of our enemies in politics—I was going to say I thought the present Minister of Justice was a man who had had some experience in the work of revision in connection with the Criminal Code, and that I had an impression that he would, if allowed to have his own way, be disposed to select gentlemen who would do honest and effective work on the commission. I only hope that that may be the case.

Hon. Sir MACKENZIE BOWELL—I hope my hon. friend will have a better opinion in a very short time of those who advise the Minister of Justice, that he will be permitted to do that which is right, as I am quite sure he intends to do. The first matter to which he called the attention of the Senate was that of the inferiority of the index. I quite agree with him as a layman. I have often puzzled myself for half an hour to try and find a particular clause by looking at the index, and it was utterly impossible. However, that is a matter of detail which will receive the very best attention, and the man who makes an index of the statutes or of anything else should have a thorough knowledge of what he is doing. In that respect I quite agree with the hon. gentleman, and I think he is quite right in stating that in any volume of that kind the British North American Act should appear. I have been put to the same trouble that the hon. gentleman has. The first place where

I went to look for it was the Consolidated Statutes, thinking I would find it in the beginning of the book, and then I had to go somewhere else. I may tell the hon. gentleman that the reason for the second clause, which gives power to the government to appoint members of the civil service to this commission, is to avoid the enormous expense which has attended the consolidation of the laws in the past.

Hon. Mr. POWER—I did not disapprove of that at all.

Hon. Sir MACKENZIE BOWELL—I know the hon. gentleman did not, but I am giving an explanation why the promise is made. The hon. gentleman will find we are in accord with his own sentiment, and that he will agree with us that it can be done much more economically. The intention was—whether it will be carried out or not I am not now pledging the government—to take the law clerks of the Senate and the House of Commons, the gentlemen who have to supervise every Act that is passed by both Houses of Parliament, with some eminent lawyer or judge to sit as chairman, and by that means we think the work would be done better and much more cheaply than it has been done in the past. Another reason for making the special provision of the law was that the Civil Service Act precludes the possibility of employing any one in the civil service unless you get an Act of Parliament, or place the remuneration in the estimates to pay for it. That is really the reason why this provision is in this Act. So that we have met, to a very great extent, I think, the suggestions which have been made by the hon. gentleman, and he will find that in this, as in all other matters, the government has an eye to economy and efficiency in the work.

The motion was agreed to, and the bill was read the second time.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, 11th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE TRADE OF THE PORT OF ST. JOHN.

INQUIRY.

Hon. Mr. DEVER rose to—

ask why it is that the government, in advertising the Intercolonial Railway business and general traffic, studiously avoids to make mention of the port of St. John, New Brunswick, now that that port is proved beyond question to be the most advantageous and convenient route Canadian and western shippers can select for transmitting their goods to the West Indies, and all other countries, merchants find it profitable to do business with?

He said: This notice requires some explanation before asking the question that I intend to ask the government. As you are aware, the Intercolonial Railway is a government work, and is owned by the whole of this Dominion. It starts somewhere not far from the city of Quebec and runs down through that province, and the province of New Brunswick, somewhere on a line about east by south, till it reaches the city of Moncton, in the province of New Brunswick. Here it divides into two branches, one going east to Halifax, the other, west to St. John. The people of both these cities contributed to the construction of this road, and both are contributing to its support day by day. The people of both cities are naturally jealous that one people shall not get any advantage by the government over the other. But what do we find just now? We find that our government, who ought to be fair to every part of this Dominion, are actually advertising the city of Halifax at the expense—may I say, to the great injury of St. John. The people of St. John have suffered this kind of "fair play" some 20 years, but now that we have gone to great expense to build wharfs, warehouses, and other appointments, at St. John to fit out a safe and extensive shipping port.

Hon. Mr. POWER—Who have gone to expense?

Hon. Mr. DEVER—The citizens of St. John.

Hon. Mr. POWER—I thought it was the government.

Hon. Mr. DEVER—Not much—the government is very chary about spending money at St. John, not so at Halifax. The city of St. John have made their port a safe and convenient one and we feel that it is hard that our own government should be our enemy, advertising other cities to take away the trade which should come and is coming to St. John, not by any action of the government, but by the brilliant business perception of the managers of the Canadian Pacific Railway, who saw at a glance that the distance from Ottawa to the port of St. John is only 600 miles, whereas it is 875 to the port of Halifax. By this difference in distance all men must see that it is nothing less than perfect madness to try to force trade or freight over this great inequality of distance between the two cities and the interior of Canada and the outside world. The city of St. John, also, as I pointed out the other day, is situated at the head of a fine bay, or arm of the sea, leading out into the Atlantic Ocean. It and the harbour of St. John are open and free of ice or any other obstruction to shipping of every class the year round. But this is not all, for St. John is also placed at the mouth of a great river, second in beauty and extent of navigation only to the great St. Lawrence—I mean in Canada; and this river pours its vast volume of clear, smooth water into the basin of our harbour, making it at once, in combination with the Short Line Railway, the most valuable shipping privilege Canada ever can possess. Why then should our government try to keep the port of St. John out of sight by advertisements such as this:—

INTERCOLONIAL RAILWAY OF CANADA.

The direct route between the west and all points on the Lower St. Lawrence and Baie des Chaleurs, province of Quebec, also for New Brunswick, Nova Scotia, Prince Edward, and Cape Breton Islands, Newfoundland and St. Pierre.

Express trains leave Montreal and Halifax daily (Sunday excepted), and run through without change between these points.

The through express train cars on the Intercolonial Railway are brilliantly lighted by electricity and heated by steam from the locomotive, thus greatly increasing the comfort and safety of travellers.

Comfortable and elegant buffet sleeping and day cars are run on all through express trains.

The popular summer sea bathing and fishing resorts of Canada are along the Intercolonial or are reached by that route.

CANADIAN—EUROPEAN MAIL AND PASSENGER ROUTE.

Passengers for Great Britain or the continent, leaving Montreal Friday morning, will join outward mail steamer at Halifax on Saturday.

The attention of shippers is directed to the superior facilities offered by this route for the transport of flour and general merchandise intended for the Eastern Provinces, Newfoundland and the West Indies; also for shipments of grain and produce intended for the European market.

Tickets may be obtained and all information about the route, also freight and general passenger rates on application to

N. WEATHERSTON,

Western Freight and Passenger Agent, 93 Rossin-House Block, York street, Toronto.

D. POTTINGER, General Manager.

Railway Office, Moncton, N.B.,
25th April, 1895.

Not once is the port of St. John mentioned as a shipping port in this advertisement, though the money paid for it will be public money—our money in part, at least. The following is the letter from the St. John Board of Trade, calling my attention to the matter.

ST. JOHN, N.B., 4th March, 1896.

HON. JAMES DEVER, Senator,
Ottawa.

DEAR SIR,—I am instructed to forward the inclosed copy of an advertisement of the Intercolonial Railway, which is now appearing in the Toronto "World," "Empire," and other western papers, and to draw your attention to the fact that the port of St. John is entirely ignored.

I am further instructed to ask you to kindly make the necessary inquiries as to the reason for this omission, and to request the Railway Department to have the advertisement duly corrected.

Yours respectfully,

IRA CORNWALL,
Secretary.

Now, I do trust that this will be the last time the Board of Trade and merchants of St. John will have to complain that they are not getting fair play in putting forth the advantages of their city and fine harbour. St. John was once a city where fortunes were easily made. It imported then from all parts of the world without any restriction on trade. Her merchants then got all the profits of their labour and ability, instead of a government and its supernumeraries as now. They pushed their business then into Maine and other

places in spite of differential duties. But they gave up all this, for promises at Confederation, and they do not like now to be deprived of the fruits of their long waiting. But how can they expect justice, when they see the government sending out advertisements such as this, which I have read, without one word in it about St. John as a shipping port, any more than if it were the city of an enemy. In fact it looks very much as if the writer and promoter of that advertisement studiously wished to ignore St. John and hide its advantages from commercial people intending to do business with Canada and the western portion of the United States. No other impression can it leave on the people of that city, no matter how it may be coloured away by talk. This, hon. gentlemen, is the feeling we have in St. John, and I know this, that although we are supporters and anxious to be supporters, of the government, it seems impossible for the government to give fair play to St. John, notwithstanding our advantages, fully known now to the world as being near the centre of commerce of this country, and even to the United States, and offering a port not second to any on the continent of North America. And what has been laid out in making this harbour? Nothing but what the city of St. John did themselves, excepting a very small grant; and what has that grant done? It has given a trade to St. John, and made the people feel that they had something done for them at last. With these remarks I expect from the Premier an answer that will give satisfaction to the people of St. John and make them feel that, although they are willing that our sister city of Halifax should have that trade which she is entitled to by nature, we should have the trade that must and should come to us as a shipping port.

Hon. Mr. McMILLAN—I really thought that Manitoba and the North-west wanted the whole of creation, but I think that the city of St. John will be a strong competitor.

Hon. Mr. DEVER—There is not as much Scotch about St. John as you might think.

Hon. Sir MACKENZIE BOWELL—Hon. gentlemen, I made some careful inquiry into the cause of the complaints contained in the question which has been put by the

hon. gentleman, and I find that he is somewhat in error in supposing that the government is advertising the Intercolonial Railway business and general traffic and studiously avoiding mentioning the port of St. John N. B. Special mention is made in the Intercolonial folder, which is one of the great mediums of information to the public, it being distributed by special agents throughout, not only Canada, but the United States, that St. John is a Canadian winter port: in the same advertising medium in large type will be found the statement that the Intercolonial Railway is "the short line between Quebec, St. John, Halifax and Sydney." As regards the Allan Line of steamers for England, the connection with the Intercolonial Railway has been at Halifax. I may add, for the information of the hon. gentleman who has put the question, that the general manager's attention has been called to the fact that the port of St. John does not appear in the newspaper advertisement with a view of having this omission corrected. Permit me to add to the information which I have received from the Railway Department, that I scarcely think the government is chargeable with the neglect ascribed to us by the hon. gentleman with regard to that port. Large subsidies have been paid for years to the Furness Line, running direct from St. John to England stopping at Halifax *en route*. There have also been large subsidies paid for years to a line between St. John and the West Indies, and also to a line between St. John and Digby for the purpose of making connection with Nova Scotia, thereby bringing trade to St. John which might otherwise go to Halifax. I may, for the information of the hon. gentleman, say that that has been a subject of serious complaint from those who are most interested in the trade of Halifax. In addition to that, the hon. gentleman knows that during the last year a tolerably heavy subsidy has been paid to the Beaver Line, which forms a direct connection between St. John and England. I am glad to know that it has proved to be a success, and that success is largely due to the Short Line, which has its terminus in St. John, and to which the Dominion of Canada paid and continues to pay a very large sum of money. The hon. gentleman knows, also, that a portion of the arrangement made with the Canadian Pacific Railway Company was that the route to Halifax should be shortened and that it has never

been carried out, and not only not carried out, but, if my recollection serve me right, the Parliament of Canada by its vote justified the course the Canadian Pacific Railway Company had taken in connection with it. There are many other smaller grants which have been given in aid of the trade along the coast with the city of St. John. Take it all in all, I do not think St. John has as much cause to complain as the hon. gentleman seems to think. I know there is a rivalry between St. John and Halifax, and I am not prepared to say that the rivalry does not result in good to the people of the country by creating competition in the markets of those two large trade centres in the maritime provinces. When the whole matter is looked into, if this word "St. John" is put in the advertisement, all cause of complaint will be removed. I confess I had not read the advertisement until the hon. gentleman read it to-day. It is true it mentions Halifax—why? Because Halifax is the last point at which the steamers, during the winter, leave Canada for Europe. It says "passengers for Great Britain or the continent leaving Montreal in the morning will join outward mail steamer at Halifax." It would be nonsense to say at St. John, because they do not go to St. John. Then it continues.

The attention of shippers is directed to the superior facilities offered by this route for the transport of flour and general merchandise intended for the eastern provinces, Newfoundland and the West Indies, also for shipments of grain and produce intended for the European market.

That advertisement by the government might have the word "St. John" placed in it, but it certainly could not be in the other portion which I have quoted. The advertisement, as it is published, applies as much to St. John as any other portion of Canada. I hope the reply and the information which I have given the hon. gentleman will be satisfactory to him.

Hon. Mr. DEVER—I did not arraign any statement that the Premier has read from that paper. I simply arraigned the one that was sent to me by the Board of Trade. The hon. gentleman thinks to neutralize the effect of that statement by showing what has been done for St. John. These things I do not dispute at all—I did not deal with that. With reference to steamship subsidies given to lines of steamers,

they were simply interprovincial lines, not great national undertakings, such as we hope to engage in now, but mere communications across the Bay of Fundy, partly for the advantage of Halifax, and partly for the advantage of St. John. While we are thankful for small favours, we do not feel satisfied that these are all-sufficient for the port of St. John. Again, the Premier mentioned that the government was very kind to St. John. Perhaps his memory does not extend as far back as mine, and he may not remember when the people of New Brunswick imported directly into their country under a very small, almost a nominal tariff, whereas since we came into confederation, though we have not imported anything like the quantity we used to import, we pay double the duty. We have a right, therefore, to get back some of our money, and when we get it back we feel that we are only getting a portion of what belongs to us. As to the Short Line, I do not know that that should be a serious matter. It is true it was not constructed through to Halifax, but that would only have shortened the distance 20 or 30 miles. Inasmuch as we are fortunate enough, through the medium of the Short Line, to have St. John made the winter port, we say we should not have the effect of that neutralized by the government using our own money to take away our own trade. I do not want it understood that I have anything against the Premier. My remarks have reference to government officials whose names are mentioned at the bottom of the advertisement. They are very autocratic, and if these matters are not brought up in Parliament we would have very little control of them. I hope the Premier does not think that I mean to speak against him personally or against the government as a whole. On the contrary, I have a strong feeling of friendship for him and for many members of the government, but we do not want to see the officials doing as they please, and publishing things to the world, which may suit them personally, but do not suit us as a people.

BILL INTRODUCED.

Bill (64) "An Act to incorporate the Imperial Life Assurance Company of Canada.—(Mr. Power.)

THIRD READINGS.

Bill (44) "An Act relating to the Board of Trade of the City of Toronto."—(Mr. McKindsey.)

Bill (49) "An Act respecting the Huron and Erie Loan and Savings Company."—(Mr. MacInnes, Burlington.)

Bill (I) "An Act further to amend the Supreme and Exchequer Courts Act."—(Sir Mackenzie Bowell.)

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, 12th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE PEARSON DIVORCE CASE.

REPORT OF THE COMMITTEE ON DIVORCE.

Hon. Mr. KIRCHHOFFER, from the Committee on Divorce, presented their report and moved that the same be adopted. He said:—This is a report on a petition filed by the respondent, Mrs. Pearson, in which she asks that the petitioner, her husband, be ordered to furnish her with funds, in order to carry on her defence, to pay counsel and subpoena witnesses. In her petition she alleges that she is not guilty of the charges made by her husband against her, and incidentally she indicates her line of defence by alleging counter charges of adultery against him. She also alleges that there has been a settlement of the cases between her husband and herself. She makes affidavit herself, and produces evidence of other parties, as to her impecuniosity and her inability to carry on her defence unless provided with funds for the purpose. The course recommended by the committee is not without precedent—in fact we had one last year—but in view of the fact that there are so many new members in the House, who may not be so well acquainted with the rules of the House as

old members, I may explain the circumstances under which this order is made. As you are aware, it is usual for the committee, as far as possible, to follow the practice of the House of Lords. In *McQueen's practice*, House of Lords, page 531 it is stated :—

Where the wife has no separate estate or property of her own, or where such estate or property is insufficient to enable her to sustain the expense of her defence the House will order the husband to pay her a sum of money; the amount of which must, of course, be governed by a due consideration of the circumstances of the case.

The earliest order of this description in the Journals is, I think, in Sir John Dillon's case (Session 1701) where the complainant by his petition to the House of Lords, stated that he was ready and willing to disburse any reasonable expense which his wife might incur, in defending herself against the bill; upon which petition it was ordered, that Sir John Dillon should pay fees to her council and solicitors as offered in his petition.

In Mr. Loggin's case (1714) the petitioner was ordered to pay his wife ten guineas to fee council and to enable her to make her defence.

In Mr. Moreau's case (Session 1755 *infra*) a petition was presented on behalf of the wife, praying in regard of her low circumstances and want of money that their Lordships would be pleased to direct her husband to pay to her such sum of money to fee council and solicitors to make her defence against the bill, as to their Lordships should see meet. And thereupon an entry in the Journal of the 8th and 9th March, 1733, upon a petition of Dame Lettice Rudd of the like nature was read and the agents on both sides were called in and heard at the Bar; and, being withdrawn, it was ordered, that the said David Moreau do forthwith pay to Mrs. Moreau £20 to enable her to conduct her defence.

The right of the wife to be furnished with pecuniary means for the conduct of her defence, was fully recognized in the case of Mr. Dundas (Session 1814, *infra*), although no express order was made upon the subject.

If, however, it appears that the wife has a sufficient estate or property of her own, the husband will not be required to give her any pecuniary assistance.

In other cases the House of Lords made similar orders. In Bishop on "Marriage and Divorce and Separation," I find the following :—

Natural justice and the policy of the law alike demand that in any litigation between husband and wife, they shall have equal facilities for presenting their case before the tribunal. This requires that they shall have equal command of funds. So that if she is without means, the law having vested the acquisitions of the two in him, should be compelled to furnish them to her, to an extent rendering her his equal in the suit. This doctrine is a part of the same whereon proceeds temperary alimony. And so the English courts

have from the earliest times to the present held without the aid of any act of Parliament, and nearly all of our own have accepted the doctrine as of common law.

* * * * *

But a plaintiff husband, destitute both of funds and ability, will in proper case have his suit suspended until he can do justice to his defending wife. If he cannot aliment her, and give her the means of defence, he cannot have his divorce.

Then as to fees of counsel, which is one of the things asked for by the petitioner in this case—

But in the divorce cause, this sort of expense, incurred by the wife, must be paid by the husband; that is, it is included in what in England are termed her taxed costs.

* * * * *

It has been laid down that no testimony is required to determine what is a reasonable counsel fee. The judge may consult his own experience and knowledge in connection with what he can discern of the particular case. From the last section it becomes plain that the wife cannot employ as many lawyers as she pleases, at whatever fees, and compel the husband as of course to pay all. The rule is to allow whatever under the circumstances is reasonable, not inquiring what the particular counsel employed by the wife should receive. And where she had created needless expenses, the court refused to compel the husband to pay them, except in part.

It is in view of these precedents that the committee has made the order to the husband to furnish a sum of money to enable his wife to carry on her defence.

Hon. Mr. VIDAL—I think when a report of that nature is submitted to us, it would be most unwise to adopt it immediately without consideration. Let us see what it is, so that we can form our own opinion upon it. It seems to me a most extraordinary thing. The committee have, no doubt, given careful consideration to the subject, and I would not like to say that it should not be done.

Hon. Mr. KIRCHHOFFER—It was in view of the fact that it has not been printed that I made the explanation that I have just offered. I move that the report be taken into consideration to-morrow.

The motion was agreed to.

THIRD READING.

Bill (43) "An Act to incorporate the Queenston Heights Company"—(Mr. McKindsey.)

MONTREAL AND OTTAWA RAILWAY COMPANY'S BILL.

THIRD READING.

Hon. Mr. MACINNES (Burlington) moved the third reading of Bill (38) "An Act respecting the Montreal and Ottawa Railway Company."

Hon. Mr. CLEMOV moved :

That all after the word "Act," in the fifteenth line, be stricken out and the following substituted therefor :—"and that unless the company expends "on such construction at least one hundred thousand dollars within twenty-four months "after the passage of this Act, the authority here- "by given shall cease at that period, such expen- "diture to be exclusive of the amounts of parlia- "mentary and municipal bonuses voted in aid of "said railway, and to be found to the satisfaction "of the Minister of Railways and Canals."

That the word "three" be substituted for "four," in line eight.

That the word "nine" be substituted for "twelve," in line fifteen.

He said :—I have placed on the paper a notice of several amendments that I should like to make to this bill, not anticipating that I can induce the House to support the different amendments to the bill—although I think they are extremely fair and reasonable, under all circumstances—but with a view to having them placed on record in order that, if any default be made hereafter, we will have the satisfaction, at any rate, of knowing what has taken place on this occasion. It seems extraordinary that with so short a road as this the company should require so many extensions before it is constructed, particularly where it has been bonused to the extent of \$5,200 a mile, and I am told it can be constructed for \$8,000. But as the committee have decided to grant the extension, I submit, but with this proviso, that if the conditions are not carried out as they ought to be within the time prescribed, steps will be taken for the purpose of taking this charter out of the hands of the present holders, and giving it to another company. I believe another company can be had, and I intend to take the precaution of giving notice in order that if they do not succeed, an application will be made by another company at the next session for a charter. As Ottawa has been so often frustrated in projects of this kind, I hope there will be no further difficulty in the construction of this road. I do not suppose that it is necessary to take a vote on

this occasion. I know I will be out-voted. I know there was a unanimous feeling against my motion in the committee, and I do not intend to take a vote, but I wish to put my views on record. Of course any plan the Senate may adopt is perfectly satisfactory to me. It is a road that we all want, and greatly desire, and it would be a profitable road for any company to build and operate. With these observations, I shall either withdraw the motion or allow it to be lost on a division.

Hon. Mr. MACINNES (Burlington)—I am very glad indeed that the hon. gentleman has taken the course which he has on the present occasion. I think it is very proper.

The motion was lost on a division.

The motion for the third reading of the bill was agreed to, and the bill was read the third time and passed.

HAMILTON BLAST FURNACE COMPANY'S BILL.

SECOND READING.

Hon. Mr. MACINNES (Burlington) moved the second reading of Bill (69) "An Act to incorporate the Hamilton Blast Furnace Company Bill."

Hon. Mr. McCALLUM—I am not at all anxious to oppose the second reading of this bill. Far from it, but I should like a little explanation of subsection "L" of clause 5. It appears to me we are getting very close to the jurisdiction of the province of Ontario. I will just read what it says :—

(l.) The company shall make due provision for, take care and dispose of all waters and drainage to the extent it disturbs or interferes with the same, whether from artificial drains, natural streams or watercourses, which drains, natural streams or watercourses the said watercourse and raceway crosses, touches or interferes with, and which are in existence at the time of the construction of the said watercourse and raceway.

(m.) All subsequent questions, disputes or complaints as to the constructions of new drains and as to the alteration, enlargement and change of existing drains and of natural streams or watercourses, and as to who shall make such alterations, enlargements and changes and by whom the expenses thereof shall be paid, as also any complaint or dispute as to the manner or sufficiency of the compliance with the provisions of the next preced-

ing paragraph, shall be inquired into, heard and determined by the Railway Committee of the Privy Council in the same manner as is provided for other matters to be inquired into, heard and determined by the said committee under the Railway Act.

Now it appears to me, wherever you want to interfere with the municipalities in this matter, that it should be left to the municipalities themselves as well as the Railway Committee. I think this question ought to be settled by arbitration on the spot as to who should pay. We are coming very close to interfering with the jurisdiction of the province, and that is why I call attention to it. I have no wish to oppose the second reading of the bill, but I want an explanation on that question.

Hon. Mr. MACINNES (Burlington)—I think the hon. gentleman will agree with me that these matters of detail had better be inquired into in committee.

Hon. Mr. McCALLUM—That is all right.

The motion was agreed to.

REVISION OF THE STATUTES BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on bill (J) "An Act respecting the Revision of the Statutes."

Hon. Mr. MACDONALD (B.C.) — I suppose the hon. Premier knows that when the last revision was made, there was a joint committee of both Houses to act with the revisers of the Statutes. That custom is departed from now. Whether it is wise or not, I do not say, but at that time the late Sir John Abbott, who was then a member of the House of Commons, and some members of this House, were a joint committee and went over the revision with some expert revisers. I just call attention to the matter; I do not know why it is departed from.

Hon. Mr. OGILVIE— I think that was for the Criminal Code.

Hon. Mr. POWER—The hon. gentleman is slightly in error. The committee of which he speaks went over the work of the revisers after they had submitted it to the government.

Hon. Sir MACKENZIE BOWELL — That is a matter which can be done, if it is thought advisable, after the revision has taken place. The committee did not sit with the revisers, because the revisers had to revise every Act, and it was afterwards submitted to Parliament.

On clause 2.

Hon. Mr. WOOD—I understood there would be some changes in that clause.

Hon. Sir MACKENZIE BOWELL—My hon. friend called my attention the other day to the wording of the second clause and suggested that some words should be transposed. It would not change the meaning but he is under the impression, and perhaps others may agree with him, that it would make the language clearer. I submitted it to the Justice Department, as suggested by my hon. friend, and the Deputy Minister of Justice preferred to have it remain as it appears in the bill. As he was satisfied that it would accomplish the same object, I had no desire to change it.

Hon. Mr. WOOD—It is with some diffidence, of course, that I disagree with the opinion of the Justice Department, but I submit to this Chamber that the wording of that clause is very defective and awkward. I will point out the respects in which I think the construction of the language is ambiguous. The second clause reads :—

The commissioners may be paid such remuneration out of any moneys voted for the purpose by Parliament as the Governor in Council may think proper.

Now I should like to submit for the consideration of this Chamber, whether the words "as the Governor in Council may think proper" apply to the words "such remuneration," or apply to the other words "out of any moneys voted for the purpose by Parliament." I claim, from the position of the words in that clause as they stand there, that the words "as the Governor in Council may think proper" apply to the words "out of any moneys voted for the purpose by Parliament"—that is, that the Governor in Council may pay this remuneration out of any moneys voted for the purpose by Parliament which they think proper. The clause, in my opinion, should read this way to clearly express the meaning which is

evidently intended—"The commissioners may be paid out of any moneys voted for the purpose by Parliament such remuneration as the Governor in Council may think proper." In my opinion, that is the evident intention, but the words as they are there do not convey that intention. I should like to call attention to the following words: "Notwithstanding, if they be civil servants, anything in the Civil Service Act to the contrary." What that means I should like to have any hon. gentleman who understands it point out. I submit that it does not mean anything. I presume what is intended there is this, that if they be civil servants, they may be paid notwithstanding anything in the Civil Service Act to the contrary. It certainly does not express that as it stands now. If it does, I do not understand the English language.

Hon. Mr. POWER—I think the hon. gentleman's criticism of the first portion of the clause is well founded. Although we may know what the intention is, still the language is capable of two constructions, and I think it ought to be amended in the direction suggested by the hon. gentleman. With respect to his criticism of the latter part of the clause, I do not think there is any possible doubt as to what it means.

Hon. Mr. WOOD—I do not think there is.

Hon. Mr. POWER—"Notwithstanding if they be civil servants"—it means notwithstanding anything in the Civil Service Act to the contrary. Perhaps if the words "if they be civil servants" were put in brackets it might be better.

Hon. Mr. WOOD—With respect to the last words, I would put them this way, "if they be civil servants, may be paid notwithstanding anything in the Civil Service Act to the contrary." The Civil Service Act, as I understand it, does not prevent the employments of civil servants.

Hon. Sir MACKENZIE BOWELL—Not if they work for nothing.

Hon. Mr. WOOD—It prevents them being paid anything additional to their regular pay, and the evident intention of that part of the clause is that if civil ser-

vants are employed they may be paid in addition to their regular salary, notwithstanding anything in the Civil Service Act to the contrary. I move that the clause read as follows:

The commissioners may be paid out of any moneys voted for the purpose by Parliament such remuneration as the Governor in Council may think proper, and if they be civil servants, may be paid notwithstanding anything in the Civil Service Act to the contrary.

Hon. Sir MACKENZIE BOWELL—I first submitted this to the late Minister of Justice, as I happened to meet him, with the suggestion that I thought the amendment proposed by the hon. member for Westmoreland made the clause read easier and made it more easily understood. He read them both very carefully and declared there was no difference between the two. I then submitted it to the Justice Department, and I have just come from the department. Mr. Newcombe, who ought to know what he himself has drafted, said he preferred the language of the clause as he had drafted it.

Hon. Mr. POWER—That is natural.

Hon. Sir MACKENZIE BOWELL—I suggested whether it might not remove any ambiguity to alter the clause. He answered me, "I prefer it as it is." I said, "it is all the same to me." I see no objection at all, myself, to the amendment, and I therefore accept it.

The motion was agreed to.

Hon. Mr. OGILVIE, from the committee, reported the bill with amendments, which were concurred in.

The Senate then adjourned.

THE SENATE.

Ottawa, Friday, 13th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE OTTAWA CANAL.

Hon. Sir MACKENZIE BOWELL laid on the Table a return to an address from the

Senate for copies of all maps, reports, estimates, &c., regarding the Ottawa Canal, and especially those of T. C. Clarke and Walter Shanly; also copies of all correspondence, petitions, resolutions, reports and other papers which have been filed with the Honourable the Minister of Railways and Canals, regarding and in favour of the Montreal, Ottawa and Georgian Bay Canal.

Hon. Mr. CLEMON—Owing to the importance of the subject to which these papers refer, I suppose I shall be in order to move that they be printed and published for the information of the public.

Hon. Mr. POWER—No they should take the usual course. They will go to the Printing Committee.

Hon. Mr. CLEMON—I think there is a rule which would enable the House to order the printing of papers relating to a subject of such importance.

Hon. Mr. POWER—The committee will realize the importance of the return.

Hon. Sir MACKENZIE BOWELL—No private member of either House can make a motion which will incur a direct expenditure of money, and the only way that that rule can be avoided, when a member desires to accomplish an object such as my hon. friend has in view, is to refer the return to the Printing Committee.

WHARF ACCOMMODATION AT PICTOU.

INQUIRY.

Hon. Mr. PRIMROSE rose to—

Inquire of the government, whether it is their intention to include in the Supplementary Estimates a sum sufficient to provide adequate wharf accommodation at the terminus of the Intercolonial Railway at Pictou, Nova Scotia, for the trade of the port, exclusive of five thousand dollars now embraced in the Estimates, and which it is the intention to devote to the purpose of yard improvements?

He said: Hon. gentleman in the few remarks which I intend to offer in connection with the question which I have asked of the government, I desire to be as brief and concise as I possibly can, consistently with making the matter treated of clear and intelligible, both to the Government and to

the members of this hon. House. I may state that Pictou is a sea-port town, and the terminus at that point of the Intercolonial Railway. Several lines of steamers come with their freight and passengers to the railway wharf there—the Prince Edward Steam Navigation Company's boats, daily in summer, at times the steamers "Stanley" and "Northumberland," steamer running to Magdalen Islands, touching at Cape Breton ports, steamer touching at Gulf and Cape Breton ports. There are also a large number of schooners from Prince Edward Island and elsewhere, and quite a number of square rigged vessels, which are engaged principally in the lumber trade. A large quantity of freight is brought by the Intercolonial Railway to the Pictou terminus to be shipped by steamers and sailing vessels to various points, and a very large quantity brought by steamers and sailing vessels, landed at the railway wharf and carried by the Intercolonial Railway to different destinations. There is a railway wharf at Fisher's Grant on the other side of Pictou Harbour, where this trade was carried on prior to the construction of what are known as the Stellarton Branch and the Short Line, which have their connections with the main line at Stellarton and Oxford Junction, respectively, and terminate at Pictou. Since the construction of these lines, especially the Short Line between Oxford Junction and Pictou, the volume of freight has greatly increased. The Short Line passes through or near a country, very thickly wooded both in spruce and hardwood, the result being that an active and an increasing business is being carried on in the manufacture and shipment of hard wood plank, timber, deals and other lumber, and I submit that it should be the policy of the government and railway authorities to foster and encourage a trade like this which brings large revenue to the railroad in the shape of freight and otherwise, instead of allowing it to be hampered and handicapped by a system of wharf accommodation which the merchants engaged in the business have time and again pronounced to be totally inadequate to the requirements of the trade, a state of matters which they have been striving for years, but so far unsuccessfully, to have rectified. In June, 1892, when the then chief engineer and general manager of government railways had given instructions to have cars sent down to the wharf at Pictou to receive ballast dis-

charged from vessels, preparatory to receiving cargo, a Pictou ship-owner, who was also secretary of the harbour commissioners, on application to the station agent was informed that owing to the limited wharf accommodation it was impossible for the railway authorities to give a berth to discharge ballast, and it was found even difficult for small schooners to get berths to discharge cases of lobsters into cars for transportation. At this time too Mr. T. G. McMullen, of Truro, one of the largest shippers of lumber in Nova Scotia, urged upon the friends of the government at Pictou to press the matter of more wharf accommodation as he was desirous of shipping lumber there, and the Pictou merchants were certainly given to understand that they would get suitable wharf accommodation on the completion of the Short Line Railway. There is an important matter which should not be lost sight of in this connection, which is, that in the charter-parties of vessels engaged to load lumber, a certain number of lay days are specified, and when the captain of the vessel gives the shipper notice that he is ready to receive cargo, the lay days commence from that time, so that if the shipper, through inability to provide a loading berth in good time, is unable to supply the cargo to the vessel within the term of the stipulated lay days, he is liable to pay heavy demurrage for every day's detention of the vessel beyond the lay days named in the charter-party. In the month of September, 1893, at a time when our vessels could not get a berth on the Pictou side of the harbour, I, accompanied by Mr. D. Sutherland, now mayor of the town of Pictou, went over to Moncton, N.B., to try, if possible, to arrange with Mr. Pottinger, general manager of government railways, that under the circumstances the railway should haul the lumber from stations along the short line, around to Pictou landing on the opposite side of the harbour, a distance of about 21 miles further than to Pictou station wharfs, charging no more freight than if the lumber was hauled to Pictou station. Mr. Pottinger was unable to make any further concession than to charge us one-half of the additional rate which we would have to pay for taking the lumber around to Pictou landing, and a day or two after this interview I started for Ottawa, to try and get the matter settled at headquarters, and succeeded to this extent, that for the season of

1893, when vessels were so numerous that they could not get berths on the Pictou side, the lumber would be taken round to Pictou landing for such vessels, at the same price as to Pictou wharf. But why, I would ask, should any merchant, who is, by the conduct of his business increasing the freight receipts of the railway, and developing the resources of the country to that extent at least, be subjected to the annoyance, expense and loss of time involved, in the first place, in the experiences referred to by vessels at Pictou station, and in the subsequent railway journeys, undertaken in the endeavour to get matters rectified, or why should a shipper be obliged, by lack of proper wharf accommodation at Pictou station wharf, to send his vessel to the wharf at the other side of the harbour, where he can only, by ferry running at uncertain intervals, cross over to supervise the work of loading, &c., when, if she were loading on the Pictou side, he could have her under his constant inspection as the work progressed? In 1894, I think in the month of September, my firm had the barque "Ernst" chartered, part of whose cargo was to be provided from the short line, and part from other points. Accordingly, she went to Pictou landing to load cargo from the main line there, and at the time when she was ready to receive the balance of her cargo from the short line, she found that the berths on the Pictou side were occupied. The cargo, consequently, had to be shipped to Pictou landing, and she completed loading there. I would just interpolate here that, while this is my own personal experience in this matter, the same has been experienced by many other firms. I then found the old trouble of freight rates revived, in consequence of the instructions from Ottawa, which were given in 1893, being limited to that season. While the "Ernst" was passing through these experiences, others of our vessels were daily expected to arrive. Let us suppose for a moment that full rates of freight to Pictou Landing were insisted on, as they might be in these cases, then all the shippers who were obliged to send their vessels there to load, would be at a very decided disadvantage in the market, as compared with those who were fortunate enough to secure a berth on the Pictou side. I wish particularly to draw the attention of the House to this, and ask whether the cry for reform and

help of some kind is not a clamant one. The state of matters in May, 1894, is thus described by a Pictou merchant, in a communication to the head of one of the departments at Ottawa:—

No steps seem as yet to have been taken in regard to wharf accomodation here; and Mr. Webster (the station agent) says he doubts if anything will be donenow this season. The block in the yard is something fearful; almost impossible to move a car anywhere, in fact the state of matters is perfectly scandalous.

It will, I think, be abundantly clear from this recital of the condition of matters at Pictou, that the \$5,000 embraced in the main estimates and which I am informed it is the intention to expend chiefly in yard improvements, is entirely inadequate, even if used exclusively for the purpose, to provide the wharf accomodation which is absolutely necessary for the requirements of the trade of this port, and I would strongly urge upon the hon. the Premier and the government that a sum sufficient to provide that accomodation should be included in the supplementary estimates, and that the work should be executed in accordance with a plan or plans submitted by Mr. John MacDougall, M. P. for Pictou County, and which are now, I understand, in the hands of the railway authorities at Moncton. In conclusion, I would say, that I hope the government will in this matter be true to their antecedents, and to the policy which has always distinguished them; namely, to disburse liberally from the treasury for the purpose of enlarging and increasing the trade and commerce of the country in every portion of our Great Dominion, irrespective altogether of locality. I hope that the explanations in regard to the state of matters which I have offered, and in which I think that I have been able to make a pretty strong case, will evoke from the government a favourable response.

Hon. Sir MACKENZIE BOWELL—The only answer that I can give to the hon. gentleman is that which will be contained in the supplementary estimates when they are laid before the Parliament. I am not in a position, nor is it usual, to state in advance what will appear in any of the estimates. As I already explained, the government or even the Finance Minister, or the Minister of Public Works, might recommend a sum of that kind for consideration, and it

might not be adopted, or it might be adopted and afterwards stricken out for various reasons. So really, while the hon. gentleman has placed before the Senate a very lucid explanation and advances very strong reasons why this work should be carried out, being as he considers of a public character rather than of a private character, with the statement he has made, I will see that it is brought under the notice of the Minister of Railways and Canals to ascertain what recommendation he is prepared to make in order to effect the improvements which the hon. gentleman has indicated are desirable in the interest of the trade.

FREE TRADE.

MOTION.

Hon. Mr. BOULTON moved:

That in the opinion of the Senate, a protective duty imposed in the United Kingdom, in any form, will reduce the purchasing power of its population, and to the extent that it does so, it will impair its value as a market for our surplus products; that an increase of one hundred million dollars (£20,665,000) in the foreign trade of the United Kingdom, in 1895 over 1894, is an evidence of great national prosperity, while a decrease of sixteen million dollars in the foreign trade of Canada, during the past financial year, is an evidence that our national prosperity is not being maintained under protection.

That an excess of imports over exports in the British returns amounting to six hundred and fifty-two million dollars (£130,548,000), during 1895, at the same time reducing their national debt and producing a surplus revenue of twenty-five million dollars, is an evidence that the purchasing power of the people of the United Kingdom for the products of the world, under free trade, has been increased, and that the comforts of the population have been added to by the excess of imports, while a reduction in our exports of four million dollars, and a reduction in our imports of twelve million dollars, during the past financial year in Canada, with an increase in our debt of \$7,000,000, and a deficit in our revenue, is an evidence of a decrease in our purchasing power, and a reduction in the comforts of our population.

Several hon. gentlemen—Drop it!

Hon. Mr. BOULTON—Some hon. gentlemen say “drop it,” but I think I had better proceed with the motion, the gist of which is contained in the closing sentence.

That a closer union of the British Empire can be more successfully effected by the adoption of the present commercial policy of the United Kingdom as a basis, insuring greater prosperity to its component parts, greater freedom of action, and greater power for good in its inherent strength, than by the imposition of any form of a protective tariff upon the necessities of life.

Hon. gentlemen will realize that this is a very important question. It is one which I have discussed in the last four or five years before this hon. body more or less and it is a question that is of paramount importance, and I would ask the consideration of hon. gentlemen to this, not as a doctrine which is chimerical, not as a doctrine hostile to the interests of Canada or to the interests of any one in Canada, but as one of great national importance. It is a question that we have to decide, whether the national interests of Canada are being maintained under our present policy, whether it is desirable that we should strive to advance the national interests of Canada and whether the policy which has been adopted with such great success by the people of Great Britain for the past half century is applicable and would be a motive Canada and at the same time increasing the bond of union that does exist in the British Empire. We have, as a Parliament, only to power in advancing the national interests of regard national interests; we cannot consider what the effect of a given policy may be on a certain locality or on a certain industry or on a certain individual. We are not here for the purpose of considering class legislation if we act with justice in our deliberations. We are here for the purpose of seeing how far we can advance the national interests of the country, great in extent with great possibilities before us, and stretching from the Atlantic to the Pacific with diverse interests. How to promote the welfare of the component parts of Canada in their diverse interests is one of those questions that we have to consider carefully and gravely in the institution of any policy, the effect of which operates with equality upon the minds and prosperity of individuals, no matter where they may be settled. Our national laws are our guide to our national life. They are the restricted influences and cause people to advance or retrograde in their individual lives because they are brought with equal force and daily operate to guide us into one method or another method. For that reason it is wise, if we want to raise the national character of our people to the highest standard, that we should see that our laws are directed for the purpose of carrying out that principle. What has caused me partially to put this resolution on the notice paper of the Senate, is the fact that the Hon. Sir Charles Tupper who was

our late High Commissioner has given up his position and come out here for the purpose of joining the government and initiating a new policy in the commercial life of the country, that is preferential trade within the empire. He commenced by addressing the Montreal Board of Trade in a speech which he made on the 20th January, and which has been distributed far and wide in a pamphlet which I have no doubt hon. gentlemen all have seen and probably all have read. It is an interesting pamphlet and with the ability which he has always displayed in the handling of public questions it is worthy of perusal. Ever since Sir Charles Tupper commenced to indoctrinate the people of England with the views that are expressed in that pamphlet I have been opposed to him in the policy that he thought it was wise for him to pursue. I thought it was a very unwise policy for him to attempt to educate in the interests of the colonies the people of Great Britain up to a protective policy. That the education of the people of England up to a protective policy would react with unerring force against the interests of all those countries who seek in the United Kingdom a market for their surplus produce and who have by experience learned to know that the markets of Free Trade, England afforded the highest prices for their surplus products, and the surplus products which Canada produces, and to that extent have afforded us the most valuable market we have been able to find in any other part of the world or within our own boundary, or the adjacent markets in our neighbouring country. For that reason it is a matter of very great importance how far we strive to indoctrinate the people of Great Britain, with the idea that a return to protection as it existed in 1846 would be a wise step either in the interest of the people of Great Britain themselves or in the interests of the British Empire or in any of those nations who find in that a consuming market. Not that I say we can contribute to the education of the people of England in commercial matters in any shape and form to influence the people of Great Britain, but there is a sympathy and there is a constant effort upon the part of the statesmen of Great Britain to meet the views and wishes of the Canadian people as far as they consistently can without prejudicing the interests of their own people. We do know also that a generation who felt the burdens

and hardships of protection in 1846 has passed away and it is possible in consequence of the depressed state of industries in the industrial world, that they be induced to think and believe that a return to protection would remedy those evils. However, that may be, I do not think it would be a wise step for our High Commissioner, or Parliament, or people themselves to strive to wean the people of Great Britain from the commercial position they have assumed under their free trade policy, to adopt that of protection. Although the proposition has only been to adopt a very small particle of protection, the experience that we have gained of protection has been such, that if you introduce the thin end of the wedge, you go on from little to greater, and what was only intended to be possibly a passing expedient, comes to be a recognized principle from which we cannot release ourselves. The hon. gentleman knew that in 1878, when the new policy was then introduced, it was really a readjustment of tariff, it was not a protective tariff, but as time went on, the interests that desire to maintain themselves by protection have grown and grown to be so large that they have got a grasp on the country and it is now a very difficult matter for the people of Canada, to overturn protection and to get release from what they properly term the thralldom of protection so far as the interests of the country are concerned. You often hear the remark made that other nations have never followed the principle of free trade that England has adopted. Well, the reason that I give for that is, that the interests that think protection is absolutely essential to their individual success have been so great and the pecuniary interests that are put forth to sustain and control governments in the interests of protection, those nations have never had the strength, the power, the principle to enable them to release themselves from that thralldom. Great Britain is one of the few countries in the world that has had the strength of character to do that, aroused to it by the persistent effort of Cobden and Bright. I am happy to say that there are some nations now that are adopting that principle in its entirety. New South Wales, one of our sister colonies in Australia, has adopted and copied the English commercial model in its entirety, and now collects its revenue exactly from the same sources and in the

same manner as the people of Great Britain collect it. A nation that has sprung into existence, you may say, so far as the observation of the world is concerned, Japan, has also adopted the principle of free trade, and India is virtually free trade. Africa that is now being opened up by British influence is also free trade—at least those portions of it that are tributary and under the power of Great Britain, and therefore we do see gradually and slowly the principle extended and being more extended within the British empire than other nations outside of them. I say the time has come when this large country of Canada, that wants to be filled up with a progressive and industrial population, it is wise for us to consider whether we cannot assist in the uniting of the British Empire, in the building up of a prosperous British Empire by adopting identically the same commercial policy instead of selfishly isolating ourselves as we are at the present moment, so that we may prey on one another, unjustly prejudiced by legislation. I should like to criticise what Sir Charles Tupper lays down. He lays down for his guidance, the fact that since 1890 to 1894, there has been a decrease of 47,700,000 pounds in the foreign trade of Great Britain. He gives that as a reason why the people of Great Britain should return to a prospective policy. In addition to that he quotes Lord Salisbury's and other statesmen's expressions, as evidence of a change in the mind of the public statesmen of Great Britain in the direction of protection. He tries to hold out to the people of Canada, an expectation that the idea is working in Great Britain that they will adopt protection and have a preferential trade within the Empire, and then another view that he points out as a reason why this preferential trade should be maintained is that the trade of Great Britain with her colonies has increased in a greater proportion than her trade with the British Empire. Now those are the three propositions that he lays down in his remarks as the reason why preferential trade should be established from a British standpoint, why also from a Canadian standpoint it is worth our while to consider this question because he tries to persuade us that British statesmen are beginning to turn over to that view. I would just like in a few words to try and dispel that idea. Now in the first place when Sir Charles Tupper quotes the

figures £47,700,000 as being the decrease of foreign trade since 1890 he has selected figures in order to prove the case to his own satisfaction. He has not selected the figures to prove it in a just way because if he had taken the figures of 1887 he would have found that the trade had increased from 1887 to 1890 by £65,000,000 and if he had gone one year further back and taken the figures of 1886 he would have found that the foreign trade of Great Britain had increased from 1886 to 1890 by £85,000,000, or if he had taken the figures of 1895, the year just closed, which were open to him when he made his address before the Montreal Board of Trade, he would have found there was an increase of \$100,000,000, or £20,000,000, between the trade of 1894, which he quotes, and the year 1895, which has just closed. So, therefore, the figures that he has quoted in his address which is being so largely distributed among the population of Canada are misleading in that respect. If you take the figures of 1886 and the figures of 1894, you will find there is an increase in the foreign trade of Great Britain, and if you go on to the year 1895 you will find that the increase is still greater, a fluctuation of five or six per cent in the enormous trade England conducts all over the world is no argument. Now, hon. gentlemen, the foreign trade of a country is a measure of its purchasing power. The foreign trade of a country means this that after your people have been supplied with all the necessities of life, that the requirements to sustain the comforts of life have been provided to the people living in that country, they have the power within themselves by labour to distribute the products of that labour to the various markets of the world and to draw from the markets of the world their pay for the distribution of the products of that labour. Now that is what foreign trade is and to the extent that that foreign trade exists to that extent it shows the material wealth of the country of which we have been speaking, its physical power and national prosperity. To the extent the world trades in your markets, to that extent you exert a powerful influence among the nations who share in that trade. We are not able to quote returns to show the degree of comfort that a nation may be enjoying within themselves so far as their own internal trade is concerned outside of the foreign trade. We do know the cheaper the

commodities or necessities of industrial life the population of a country have to support themselves with, the greater degree of comfort they must be living in. To the extent that the foreign trade increased the amount of labour that is engaged in that foreign trade, to that extent the wealth and prosperity of the nation is increased, and to the extent that that trade is free to the same extent are the comforts of the population increased by the cheapness engendered through a system of free exchange through the absence of any artificial increase of price. If the freedom of exchange is equal on both sides—that is to say both nations are dealing with one another on the same basis of freedom of exchange, then prosperity is divided equally between the two of them, but if the freedom of exchange is on one side as it is in the case of Great Britain as against other nations, then the prosperity of Great Britain is infinitely greater than the prosperity of that nation that trades with her through a protective or restrictive tariff. I do not think there is anything to gainsay that proposition. I think that is as self-evident as it can possibly be, because the broad fact that a duty at the boundary line on the necessities of life, which are absolutely essential to the welfare and the well-being of a population and the life of a population, any duty that is placed upon those that adds an artificial cost to the price of these necessities, must naturally restrict the purchasing power of the people upon whom this duty is imposed. To the extent that that purchasing power is reduced by the imposition of a duty to that extent the prosperity of a nation is retarded because it depresses and decreases the employment of labour within the nation's boundaries. The purchasing power being decreased, the less means the people have of purchasing comforts for themselves and their families, and the more expensive methods they have to resort to in order to try and get beyond the boundaries of the nation in order to try and find a market for the surplus product of the peoples labour. Now I think that is borne out unquestionably by returns. We find that through the foreign trade of the following countries—I have just collected a few of them for quotation—we find that the imports of France were \$959,000,000 and the exports \$825,000,000. Now there is an excess of imports over exports of about \$125,000,000.

The United States imports \$731,000,000 and exports \$837,000,000. Victoria, one of the Australian colonies, imports \$60,000,000 and exports \$68,000,000. Victoria is a protective country, and New South Wales, exactly the same population, alongside, working now under free trade has \$77,000,000 imports and \$100,000 exports.

Hon. Sir MACKENZIE BOWELL—It is only this year it is free trade.

Hon. Mr. BOULTON—It was almost free trade before.

Hon. Mr. McCALLUM—How do you say that that would be the purchasing power of the country? Is it exports or what?

Hon. Mr. BOULTON—Yes, the purchasing power of a country is measured by its imports and its exports. In so far as the competition in that country of those imports tends to reduce the cost of those articles it increases the power to purchase them and increases their power to compete for trade in neutral markets. That is the way the purchasing power is measured. It is unquestionable that if you can buy a knife for fifty cents, and by a system of duty you make that knife cost you one dollar, it stands to reason that you should buy two knives for the dollar where you were only able to buy one knife before, and to the extent that you are able to buy those two knives for the one, you are able to distribute the employment of labour within the boundaries of the nation or in the world, by the necessity to manufacture two knives instead of one. That is the secret of England's purchasing power, the cheaper the article the greater the consumption.

Hon. Mr. McCALLUM—One jack knife is enough.

Hon. Mr. BOULTON—If you only want one knife you can buy bread or beef or any thing else with the other fifty cents, and to that extent the nation's trade is increased. It leaves you fifty cents to expend in other commodities, which means the employment of more labour and a greater distribution of the necessities of life.

Hon. Sir MACKENZIE BOWELL—In another country?

Hon. Mr. BOULTON—The hon. Premier says in another country. It does not make any material difference whether that is made in another country or not, because unquestionably there has to be labour of some kind or other in the country that imports the knife to pay for it. It is unquestionable that you cannot purchase from abroad, unless there is labour at home to earn the money in order to purchase those commodities to pay for them, and therefore the larger amount of foreign trade that you are prosecuting, the larger amount of labour must be industriously engaged in your own bounds to enable you to conduct that foreign trade, adding to the national strength. The hon. Premier's idea is that it is right to make the people pay double, so that the people of another country shall not produce anything we require even though we may benefit by the trade.

Hon. Mr. McCALLUM—Hear, hear.

Hon. Mr. BOULTON—I do not think that my hon. friend's mind is open to this question. His mind is too set upon protection.

Hon. Sir MACKENZIE BOWELL—What is the year in which you quoted the figures in New South Wales?

Hon. Mr. BOULTON—I think, 1892 or 1893. It is taken from our own Trade and Commerce returns.

Hon. Sir MACKENZIE BOWELL—New South Wales was a high protective country in 1892-93. I was in New South Wales in 1893, and it is only the last election the majority of the people of that colony returned a majority in favour of free trade. We will know what the result is in two or three years.

Hon. Mr. BOULTON.—If the result is anything like what it has been in Great Britain, they will have very great cause to be thankful that they have been able to throw off the burden of protection and the grasp of protectionists. The next country I wish to quote is Great Britain, which has an export of \$2,083,000,000, and an import of \$1,435,000,000. India has an import of \$464,000,000 and an export of \$568,000,000. Canada has an import of \$110,000,000 and an export of \$113,000,000. Germany, \$1,040,000,000, with an export of

\$794,000,000. Now, hon. gentlemen will see that Great Britain stands first and Germany stands second. Great Britain imports exactly double what Germany imports and exports exactly double what Germany does. That populous country right alongside, France, has a foreign trade of only about one-third of what the people of Great Britain have. Then take the United States with 70,000,000 of a population, and their foreign trade is exactly the reverse of Great Britain they export about one hundred million more than they import which indicates a loss on their trade and a decrease in the comforts of their population under protection. The following figures show how, under free trade the prosperity of the people of Great Britain is contributed to, by her excess of imports, drawn from nearly every nation, under her free trade policy totalling up a surplus of imports amounting to six hundred and fifty million dollars, this is not exceptional, every year the same, without any increase in debt. In the years when our imports exceeded our exports, we borrowed largely and our debt has been steadily increasing, increasing our purchasing power by borrowing, while the national debt of Great Britain has been steadily decreasing.

The following table shows exports from and imports to Great Britain with foreign countries and British possessions :

BRITISH IMPORTS from.		BRITISH EXPORTS to.	
Australia,	\$118,000,000 ;	Australia,	\$ 73,000,000.
Canada,	62,000,000 ;	Canada,	32,500,000.
India,	138,000,000 ;	India,	150,000,000.
Germany,	134,000,000 ;	Germany,	146,000,000.
Holland,	140,000,000 ;	Holland,	80,000,000.
Belgium,	85,000,000 ;	Belgium,	65,000,000.
France,	220,000,000 ;	France,	102,500,000.
U. States,	450,000,000 ;	U. States,	154,000,000.

You can see that from the various parts of the world England draws \$2,000,000,000 of imports which go to add to the comfort of the population, and the profit of trade is so great in consequence of the freedom of exchange being on one side that the imports very nearly double the exports or rather there is an excess of \$650,000,000 on the exports. This is not a singular position to the year 1895. It is a normal condition. If you go back ten, twenty or thirty years you will find that as the prosperity of the nation increased or rather as the foreign trade, the increased imports over exports increased, which shows they are making large profits every year out of the trade in

consequence of the policy that they adopted. Now, many hon. gentleman are very fond of saying that free trade is not applicable to Canada, that it is only applicable to Great Britain, that is because she had the wealth in 1846, because of her great wealth then lies the secret of her prosperity to-day, that is quite a mistake. It is purely the enlightened commercial policy she assumed that enables her to attain such, and maintain such great power, prosperity and prestige in the world to-day. It is her commercial policy. If she were to resort to protection as the United States or Canada or France has done, the wealth would leave her coffers and the prestige would leave her shores and her foreign trade would diminish one-half—and perhaps more. No capital that she has made in the past would she be able to retain under protection. The change of policy would be quite sufficient in itself to destroy the capital, and impoverish the labour and to destroy their market, would destroy the purchasing power of the people of Great Britain if they were to adopt the policy of the neighbouring nations and work under the same conditions, the strength of her national life is her free trade policy. I do not think that is open to question and any effort that we make in order to induce England to close her markets against the world, to contract and add to the cost of the food or the material, that her industrial population requires, to that extent the markets of Britain are destroyed for those countries like Canada and the United States that desire to find a market there for their surplus product.

Where would we be if we had not the markets of Great Britain to sell our agricultural produce to? Where were we before we were able to ship our cattle across to England, before a market for live stock was to be found in England? The value of our animals to-day in the British market is \$50 or \$60 at a Canadian port of export, although met in England by the competition of the United States. Whereas the highest price we ever got from the people of the United States in past years was \$26 a head. That shows the difference between the value of selling in the free trade markets and the value of selling in a protective market. There is no comparison as to the prices that can be obtained. Therefore in resorting to a policy that will diminish their power to purchase at the port of entry it will have a

disastrous effect upon the people who are seeking and enjoying that market, as a market for the sale of their surplus products, though they may foolishly reduce the profits of the trade by protective restriction.

Hon. Mr. FERGUSON—Is there any person, to the hon. gentleman's knowledge, in Canada advocating a duty by Great Britain on Canadian products?

Hon. Mr. BOULTON—No. That is not the point. What we are asking England to do is to adopt an imperial protective policy, that is to say, admit the products of Canada, Australia, and other parts of the empire, into her markets upon a protective basis.

Hon. Mr. McCALLUM—For an equivalent.

Hon. Mr. FERGUSON—A preferential basis.

Hon. Mr. BOULTON—There is a difference between an equivalent and a preferential basis. It is however, a protective basis. That is to say, the colonies and the Imperial Government undertake to put a duty upon all foreign products and a protective duty exactly the same as the people of the United States put on. Of course that is what you would call Imperial protection. It is simply transferring protection from Canada and from the protective colonies that protect themselves in that way and making it an Imperial protection. Does the financial or commercial condition of the United States justify the imitation of their policy. There we have 70,000,000 people trading under the same conditions Sir Charles Tupper proposes to apply to British Imperial trade. Where are the labouring classes most contented? In the United Kingdom or the United States? The preferential trade if Sir Charles Tupper proposes is for Great Britain to put a duty upon foreign food or foreign material in the English market while still leaving Canada the right to protect herself in her own market. If there is any hon. gentleman here who is going to propose such a one-sided selfish policy as that, I say that he need never hope in this world to have it adopted or even advocated by the people of Great Britain and it does not reflect upon the wisdom of Canadian statesmen. If we were to take down our barriers entirely in favour of Great

Britain agreeing with the people of Great Britain that a protective taxation should be put on from an imperial standpoint, then, as Lord Salisbury says, "we will consider whether it is a fair proposition and how far it would justify us to abandon our commercial policy," but Sir Charles Tupper has been very careful not to propose an equivalent, his idea appears to be that England should put on a protective tariff against the world, in order that the colonies may be benefitted, and the colonies are going on pursuing their protective policy just as usual. I can hardly believe that Sir Charles Tupper is sincere in putting such a proposition before the Canadian people or before the people of Great Britain. We have it in our power now without any negotiation to throw down our barrier in favour of the United Kingdom and other parts of the British Empire. It involves the admission of all those countries with whom we have treaties but that will not affect us so long as we maintain most favoured-nation treatment with them. There is another fatal objection to Sir Charles Tupper's proposition, and that is that anything of that character such as taxation upon a protective basis within the empire would carry with it representation in the Imperial Parliament. Hon. gentlemen know that the principle of taxation without representation is fatal to any cause, that it becomes of necessity that such a policy as that would necessitate representation in the Imperial Parliament. No self-respecting people would ever allow themselves to be taxed unless they had a voice in the method of taxation. That involves representation in the Parliament that has the taxing power. The people of Great Britain are not ready for that, and from every standpoint I think the question of a preferential trade is neither likely to meet with any success in Great Britain and it is not wise for us to promulgate a policy before the people of Canada at a general election under the supposition, that such a thing is practicable or possible when it is both impracticable and impossible from that standpoint at present whatever the future may have in store. There is however nothing to prevent us from throwing down our bars in favour of Imperial commerce. Here is a clipping from the *Ottawa Citizen* of the 30th June, 1892, when the first Congress was sitting in London, and here is what the *Citizen* cable says :

London, June 29th.—The Congress of the Chamber of Commerce of the Empire debated nearly all day Sir Charles Tupper's amendment, favouring slight differential duties to Sir John Lubbock's motion in favour of a free trade union of Great Britain and her colonies. Sir Thomas Farrar ridiculed the proposal of the Canadian High Commissioner, amid much indignation from the Canadian delegates in attendance. Sir Thomas Farrar contended that Canadian trade was infinitesimal, compared with the trade that would be lost to England by the adoption of Sir Charles Tupper's suggestions. "Should Great Britain," asked Sir Thomas, "forego fifty million of American trade in order to secure a problematical eleven millions from Canada? Conceive of England's production, if the United States should conclude to offer free trade on the condition of being accorded the same terms as Canada, and England should be compelled, by a prior obligation, to Canada, to reject the offer." Sir Thomas was formerly Secretary of the Board of Trade.

Mr. Wm. McArthur, president of the Liverpool Chamber of Commerce, strongly opposed Sir Charles's proposition. He declared that the proposals meant taxation of the British producer for the benefit of the colonies. Sir John Lubbock urged that Canada should use the McKinley tariff, as it was a great chance for the Dominion to throw open her ports, and invite the nations of the world to trade with her, which would give her such progress as she had never witnessed before.

That is the position that was taken by leading men of Great Britain before that congress. A number of our boards of trade sent representatives from Canada and when the vote came and they were accorded votes, they threw their influence on behalf of Sir Charles Tupper's proposition. Now Sir Charles Tupper is asking the boards of trade of Canada to send a number of delegates across to England, or to have representatives in England, to be able to vote and express their opinion upon this question. If we were to snatch a verdict in favour of preferential trade by sending representatives of boards of trade in Canada, and voted that this was a sound principle it would be 5,000,000 people dictating to 40,000,000. Why does not Sir Charles Tupper come out straight and say we will throw down our commercial barriers in favour of Great Britain, and await results? I predict it would be the glory of Canada. It looks to me as if this preferential trade was a herring drawn across the scent of protection to capture the wily voter by snatching a verdict at the trades congress. It would be reversing things entirely. Anything of a preferential nature, anything that leads to a change of that description, has to come from the more powerful and wealthy nation, should come from the greater numerical strength and

not from ourselves. Sir Charles Tupper quotes Lord Salisbury in his Hastings speech, made in 1891, as showing a disposition and indication to return to a protective policy. I should like to point out to the hon. gentleman that he had no such thought in his mind at that time. As Sir Charles Tupper points out himself in his address, that it was the action of Spain. The United States were negotiating reciprocity treaties with the South American republics, and with nations upon a reciprocal basis. Their idea in doing so was to have a preferential trade, excluding other nations. They negotiated a treaty with Spain in regard to Cuba and Porto Rica, which Great Britain secured as open ports to Canada on favoured nation treatment, and the United States wanted to close them to Canada through this reciprocity treaty, and in order to do that Spain had given notice of the abrogation of the treaty of 1886, which was negotiated, and which threw the ports of Cuba open to Canada and the people of Great Britain under the most favoured nation treatment. When Lord Salisbury saw that Spain was going to close her ports to Canada and to Great Britain in favour of a commercial rival in the United States, then, he said, if that is the policy that is going to be pursued and a treaty is abrogated for that special purpose, so that our commercial rivals may receive benefits within the bounds of Spanish authority, from which we are debarred, then we may find it necessary to take some step to exclude those nations that behave in that unfriendly manner, but that is a different thing from closing the doors on friendly nations which are giving the most favoured nations treatment to Great Britain, on the same terms as to any other nation. The two cases are entirely different. Lord Salisbury knows perfectly well that if Great Britain was to notify the various nations that the most favoured nations treaties were to be abrogated, the people of Great Britain in their foreign trade would lose an immense advantage in the conduct of it; not only an immense advantage, but in consequence of the people of Great Britain giving notice of the abrogation of those treaties, they might retaliate and close their ports to Great Britain, and so bring on a commercial war to the detriment of the world generally, and to the detriment of the interest of the people of Great Britain and Canada. It is not desir-

able, as I said before, that we should make any effort to induce the people of Great Britain to adopt any such policy. I took that ground three or four years ago when we adopted a memorial upon this subject. Another point which Sir Charles Tupper made was that the trade with the colonies had increased in a greater ratio than with foreign nations. I am prepared to admit that to a certain extent, but still a very large proportion of the trade of foreign nations is British commerce. In India we have, in consequence of free trade, transferred nearly the entire tea trade from China to India. Some 20 years ago Great Britain bought most of her tea in China. Now, in consequence of the construction of railways and the development of industries in India, an enormous amount of tea (about 126,000,000 pounds) is now grown in India and Ceylon, where before it was grown in China. What is the reason of that? The reason is that the trade with India is free; that England could afford to place her capital there and employ labour that was available there, in order to produce this article and to procure the tea for the people of Great Britain at a much less cost than they were securing it from China, because China would not conduct trade on the same basis and therefore that great interest was transferred from a foreign nation to one of England's greatest colonies or rather the Indian Empire. The same way with the rest of the colonies. Of course Canada has enlarged her boundaries very greatly in the last twenty-five years, opening up new fields and increasing her population and industry in the wheat fields of the west. The same way with Australia, the same way with Africa. These larger areas are being brought in as colonies of Great Britain and to the extent that they are enlarging their boundaries, to the extent that trade is being developed and population and labour being employed to that extent of course England improves her position above foreign nations. There is no doubt about it that trade does follow the flag, and when restrictions are removed it will follow it more. I realize this that we have a great country in Canada with large resources and great possibilities. That we have tried by protection to improve our position to advance our national interests but that I have come to realize is that we have failed to do that, or that we have reached that point where our advancement

can not be continued without going into debt further. I give protection credit for what it has done, but we have reached that limit when circumstances warn us to change our policy.

Hon. Mr. CLEMOW—No.

Hon. Mr. BOULTON—I can give facts and figures to prove that that is the case. I do not mean to say that the city of Ottawa which collects money from all the country and where it is paid out in monthly cheques has felt the loss of prosperity by protection, because if the revenue is not maintained in consequence of protection, money is borrowed abroad and paid out here in Ottawa. You have here also the lumber interests and lumber is a thing the world requires and limited in its supply. You do not feel it, but because the wealthy man does not feel the necessity, because a wealthy city like Ottawa does not feel the necessity, you can only take the public returns of the country in order to realize how the labouring man, the struggling man is getting on and it is for this that we have to legislate and not for the wealthy localities or the wealthy people.

Hon. Mr. CLEMOW—How are labouring men getting on now?

Hon. Mr. PROWSE—Never better.

Hon. Mr. BOULTON—It shows that there is a depreciation in our industries that our exports are falling off and our imports falling off and to the extent that our exports and imports are falling off there is a depreciation in the employment of labour, to produce those exports and purchase those imports. Hon. gentlemen know very well that our exports have fallen off some \$4,000,000, and when I say our imports have fallen off I wish to emphasize again what I stated before, that if you import anything there must be labour in the country to pay for it; to the extent our imports are decreased it is an evidence that less labour is profitably employed or it is more poorly paid. That is a self evident proposition and therefore I include imports and exports. I should like to take our mineral returns; take the production of Nova Scotia coal for instance, to show what is being done in regard to that, out of 2,526,000 tons, 959,000 tons are placed in Montreal by a duty of sixty cents a ton and a preferential low rate on the Intercolonial.

But so far as protection retards the export of coal, I believe the manager of the Dominion Coal Mine voted against Sir Charles Tupper at the recent election to secure the abolition of protection. I want to emphasize this that when you compare the position of the country prior to 1878 with its position to-day, we have to compare so far as we are able to extract it from the returns the position of Eastern Canada and not take the increase in our production as pertaining to the advancement of Eastern Canada. If our exports have increased they have increased because the province of Manitoba send them out and British Columbia sends them out and the North-west Territories sends them out. The increase has taken place from those sources and not from increased powers of production in Eastern Canada, not on account of an increased prosperity in Eastern Canada. There is no discounting that at all. I find that from 1885 down to the present date that British Columbia coal production has almost trebled itself. Protection does not aid that, if anything it retards its greater expansion by increasing the cost of its production. I find that at the present date Nova Scotia coal export is 310,000 tons and the export of coal from British Columbia is 770,000 tons. That gives you an idea of what has taken place on the Pacific Coast, so far as our exports are concerned, which are included in these returns, and which show the decrease of exporting power. Then mining industries show that there has been a large increase in the exports from British Columbia, while were it not from the double protection of duty and rates which the public pay for, to enable Nova Scotia coal to compete with Pennsylvania coal in Montreal, there would be a decrease in Nova Scotia, while under free trade the production by cheapening its cost of production would induce its export. To secure this production Ontario pays nearly a million dollars a year duty on coal, and the public at large pay for the low rate on the Intercolonial. In 1892 export was only 181,000 tons, while British Columbia exported 767,000 tons. Then the imports of bituminous coal show a slight decrease in the last three or four years. The hon. gentlemen know perfectly well that if there is a decrease in the importation of bituminous coal, it shows that the industries of the country are not being maintained. That coal is a necessity for

carrying on the industries of the country. We import anthracite coal for the heating of our houses, but bituminous coal is generally used for manufacturing purposes, and a decrease of importation of bituminous coal shows that there is a decrease in the industries of the country.

Hon. Sir MACKENZIE BOWELL—
Not at all.

Hon. Mr. BOULTON—If you have a decrease in that which generates steam, there must be a decrease in the productive power of the country. If you use gas you have to generate that gas.

Hon. Mr. CASGRAIN—There is natural gas.

Hon. Mr. BOULTON—That is very local. Take iron as a sample. Iron ore has shown a decrease in production. In 1893 it was 125,000 tons, in 1894 109,000 tons, and in 1895 it was down to 102,000 tons. So there has been a decrease in the production of iron ore, and notwithstanding the stimulus that we give to it. Then I take the importation of pig iron. The pig iron that we made in 1893 was 65,000 tons, in 1894, 49,000 tons and in 1895 it is reduced down to 44,000 tons. Then the importation of pig iron has fallen from 56,000 tons in 1893 to 32,000 tons in 1895.

Hon. Mr. McCALLUM—A good thing.

Hon. Mr. BOULTON—No, it is not a good thing.

Hon. Mr. McCALLUM—We do not have to pay for it.

Hon. Mr. BOULTON—If there is a reduction in the manufacture of pig iron in Canada and a reduction of the importation of pig iron into Canada, there must be a reduction of labour that is employed in manufacturing that, which iron enters into for the Canadian people. If you are not using the material—if it is not produced in the country or does not come into the country there must be a reduction of labour in the country—there must be something operating in the country which is retarding its progress which is reducing the prosperity of the country in consequence of the reduction of the labour that is engaged in that industry. It is perfectly self-evident to everybody that our

productive power is operating in that way. The public returns show it. It is shown in many ways. The hon. gentleman from Victoria, who I dare say will advocate protection told me that his income had been reduced \$2,000 a year in the last two or three years through the depreciation of property and the reduction of rents that he is able to enjoy from his income in Victoria. Then I heard another gentleman from St. John tell us the same story. I have a letter which I received and I would say that with the exception of my hon. friend on my left here who does not seem ever to complain, I hear a considerable amount of complaint.

Hon. Mr. CLEMOW—Where?

Hon. Mr. BOULTON—In various parts as to the distress. A gentleman from Peterborough told me he had never known Peterborough to have been in such a depressed state. They say it all over the country. Here is a letter I got from one of my neighbours in the North-west:—

I would very much wish your opinion at this time to know whether the duty will go off cream separators this session or not—if the duty will be done away with by the 1st of May. It should never have been on as it keeps back local industry. My son George in Minneapolis can send one for \$130, the same machine will cost me in Winnipeg \$200, but there will be duty to pay—this infernal duty. I am offered from a store-keeper in Liverpool, 18 cents a lb. all this summer for first class butter on Liverpool quay.

There is a letter from my neighbour which shows if his statement is correct, and I believe it is thoroughly correct that that man is taxed \$70 for the projection of a local industry which is the means by which he desires to earn his money on his farm.

Hon. Sir MACKENZIE BOWELL—The letter states that the man could sell him a machine for \$130.

Hon. Mr. BOULTON—His son, who is in a bank in Minneapolis, could send him one for \$130.

Hon. Sir MACKENZIE BOWELL—Then how do you make the duty \$70?

Hon. Mr. BOULTON—If there was no duty he could buy it for \$130.

Hon. Sir MACKENZIE BOWELL—That would be about 65 per cent the way you stated it?

Hon. Mr. BOULTON—There is a variety of things, of course, which tend to make that. I do not know what the duty on cream separators is. I am only quoting a letter from my neighbour as to how far he feels oppressed. Then he goes on to say:—

Everything is quite here, no business doing, oats 10 cents a bushel, wheat 18 and 19 cents, so much for breaking the prairie.

Now hon. gentlemen there are the two conditions. Oats are 10 cents. When I left they were 11 cents. Now they are 10 cents. In the province of Manitoba we produce 25,000,000 bushels of oats and the price of them is 10 or 11 cents a bushel at the point of production. Now that is a fair sample of what is taking place in the North-west. The wheat is a low grade in that particular locality on account of its being frosted, it is a low grade but at the same time it is a very valuable grade for feeding purposes, it is a low grade for milling purposes, and the high grade is by this time shipped out. But that is what that man has got to pay for his separator, he has to pay that increased price, I may say that it is these extreme conditions that moved me to come before this hon. House and see if we cannot take into consideration the advisability of taking the duty off of the necessities of life not only in the interests of the national development of the western country but because it is retarding and injuring the prosperity of the whole country. Now with regard to coal oil, I will just mention there is another article that is highly protected and what do we find with regard to coal oil? In 1890 the production of coal oil in Canada was 10,000,000 gallons, in 1894 it was 11,000,000 gallons. Now the importation of coal oil in 1890 was 2,000,000 gallons and in 1894 it is put down at 5,585,000 gallons, so that you see that even the high duty on Canadian coal oil is notable to keep out or to keep pace with the importation of the American article, that there the American coal oil has almost trebled its importation since 1890, while the production in Canada has increased very little. Therefore if the production of coal oil is not being increased under protection, for what other reason I cannot say, where is the advantage of taxing people enormous prices, increasing the price of coal oil by the duties put upon it for the national benefit of Canada if it is not producing a desirable result. We have

where I live to pay 35 and 40 cents for our coal oil and \$200 for our separators and proportionate prices for every single thing we require and we have to do it with those prices because there is not that freedom of exchange with the customers who purchase from us. If there was freedom of exchange the people of Great Britain would be only too glad to carry on a trade which would reduce by competition the price of the articles that the farmers and the agriculturalists of the country require and to the extent that we are enriched, to that extent are we going to enrich the country, and to that extent are we going to increase the industry and the wealth of the country and the wealth of the individuals who are necessary in the distribution of those products whether they are mineral, whether they are fishing, whether they are from the forest, or agricultural, or manufacturing, or whatever they may be. Now, hon. gentlemen I think there is another point which I think is worth observing. Here is a return in regard to crime. It is an interesting return prepared in our library here, by a gentleman named Washington I believe, showing that the increase of crime is coincident with the increase of protection, and it is taken from the statistics, at any rate it goes for what it is worth. It is prepared by somebody who has been able to get at the statistics taken from Mulhill's Dictionary of Statistics, from the United States census of 1890, from Mullhal's Fifty years of National Progress, and from a Year-Book.

The following are the facts and figures :

CRIME.

PROBABLE CAUSE OF ITS RECENT INCREASE.

The following figures and facts culled from various authorities seem to point to one condition over which, in a free country, the community have control, the presence or absence of which would seem to be contemporaneous with the increase and decrease of crime in all countries. The increase of crime, so painfully apparent of late years in Canada, the United States, France, and other countries, and which is popularly attributed to increased drunkenness, particular forms of education, the presence or absence of certain religious beliefs, would seem in addition to these aggravating or ameliorating conditions to be affected by circumstances more immediately under our control, and for which we, as citizens of Canada, are directly responsible.

A comparison of the criminal statistics of the above named and other countries, where protection prevails as their fiscal system, with the criminal statistics of England and Japan where Free Trade

obtains, shows that crime increased rapidly after the increase of protection in the first named countries and decreased in England and Japan after they abrogated protection.

The criminal statistics of France are very significant in this connection, as she had ten years comparative free trade under the "Cobden Treaty," (signed in 1860, abrogated in 1870 or 1871,) preceded and followed by periods of high protection. The following figures give the number of convictions in France for the years named :

1850,	736,000	or	21	for every 1000 population.
1860,	894,000	"	24.2	"
1870,	549,000	"	14.4	"
1880,	995,000	"	26.5	"
1885,	1,111,000	"	29.5	"

From these figures it appears that a decrease of crime, equal to 40 per cent followed the abrogation of protection, and its re-imposition was followed by a serious increase of crime of over 100 per cent in 15 years. It will be noticed also that the increase between 1870 and 85 was over 300 per cent more rapid than between 1850 and 60. These figures are very significant, when we consider that the protective duties were much higher between 1870 and 1885 than between 1850 and 60.

A glance over the criminal statistics of the various protected countries reveals the curious fact that crime shows the most rapid increase in those most highly protected, and is decreasing in England and Japan, and in these countries only since they abrogated protection.

The well known tendency of protection to force the accumulating wealth of the community into the hands of an ever decreasing percentage of the people, which necessarily involves an increasing percentage of poor, no matter how great the aggregate increase of wealth, accounts for the increase of crime under this system of taxation; for the poor and crime increase and decrease together in all countries and times.

This effect of protection on the distribution of wealth is well illustrated by comparing the statistics of the United States under protection with those of England under Free Trade.

Thirty five years ago 40 per cent of the people of the United States owned 90 per cent of the wealth; according to their last census 10 per cent of the people owned 90 per cent of the wealth.

(B)

Since England abandoned protection she has increased her affluent class (those subject to income tax) eight times faster than population, and decreased her poorest class (the paupers) 50 per cent (C). These facts prove that the accumulating wealth of England is being disseminated amongst an increasing percentage of the population, in spite of the laws of entail and primogeniture still in force there,—the design and effect of such laws being to check such dissemination.

Although such laws are not in force in the United States a vast decrease in the affluent and consequent increase in the poor class are apparent, since they adopted protection in the sixties, though the aggregate increase of wealth was greater than in England, owing to the new land brought under cultivation; all the land of value in England was cultivated long before she abandoned protection.

In the United States, between 1850 and 1890, the inmates of their prisons increased in number 500 per cent faster than population.

(C)
In England, between 1841 and 1889, the number of convictions decreased 71 per cent (C). In Japan (Free Trade since 1866), the total convictions for the following years indicate the improvement going on there.

	1886	1887	1888	1889
Serious crimes, 5,940	4,397	3,174	2,431	
Lesser crimes, 96,474	79,723	73,279	86,555	

(D)
In 1889 a serious failure of crops occurred in Japan, followed in 1890 and 1891 by earthquakes and fires, the most disastrous since 1854. During 1891 the horrors were aggravated by storms and pestilence. The destruction of life and property was of appalling magnitude, involving the ruin of many and the impoverishment of millions of her people (E). This series of visitations, and the sudden increase of poverty they necessarily entailed, were followed by a serious increase of crime, especially of the lesser sort during 1890 and 1891; but this increase of crime was little if any more pronounced than took place in France, the United States, Canada, and other countries, since they re-imposed protection; and where an army of Christian teachers and philanthropists devote their lives and means to the amelioration of the condition of the poor and weak, where bountiful harvests and profound peace have prevailed for years, with almost a total absence of any adverse visitations; thus indicating that this self-imposed and evidently vicious system of taxation created more poverty in these countries, and consequently caused more crime, than resulted in Japan from the most awful visitations of providence.

(A) Mullhall's Dictionary of Statistics.

(B) U. S. Census, 1850 to 1890.

(C) Mullhall's Fifty Years of National Progress.

(D) Statesman's Year-Book.

(E) Appleton's Annual.

That is a contribution of a very valuable character, I think, in any discussion on the question of free trade or protection. Now, hon. gentlemen, I think I have detained the House a sufficient length in order to place my views once more before the hon. gentlemen in regard to this question. As I said, I do not come before this hon. House in any expectation that this resolution will be carried. I merely take advantage of my position as a representative in the Senate, in order that I may be able to disseminate so far as it may be an educative force, the views that I hold. The views that are not theoretical in any sense or form whatever, that are not new, they are the views that are justified by facts in consequence of the great prosperity of the people of Great Britain. The depression in agriculture in England is quoted in opposition to free trade, well, hon. gentlemen, is not the price of wheat lowered everywhere? The price of wheat will recover when prosperity

returns to other nations. Free trade in Canada will increase the consuming power of the people by increased population, and consequently increased consumption, withdrawing that much from competition in the British markets. I do not think that I can find one single, solitary member in the Senate of Canada who would not welcome in the highest degree, some means by which we could form a closer union of the British Empire. I may say the same in regard to the people of Canada, the question of forming a closer union, but not by a protective policy; I believe that is an impossibility, but there is a possibility of forming a closer union by adopting the commercial policy of Great Britain. The policy that Sir John Lubbock advocates, the policy that all leading minds in Great Britain advocate. If we were to adopt the same policy as Great Britain, the whole British Empire trading upon the free trade policy, no matter what other nations may do, then I say that the same prosperity that pertains to the people of the United Kingdom, will fall upon the shoulders and be shared in by the people of Canada, by the people of Australia. To the extent that they pursue their industry freed from restrictions and to the extent that they free their commerce and their trade to that extent will they enjoy that prosperity and the British empire will stand out before the world, the most powerful, the most enlightened the most industrious and distributing to all parts of the world greater comforts at lower prices to the labouring population; inducing employment and inducing all the beneficial advantages that are self evident to the world at large in the policy of the people of Great Britain. You cannot handle an article or make an article but labour is employed in some form or other in dealing with it, not only in its manufacture but in the collection of materials for its use in the distribution of it after it has been brought into the country, the collection and the distribution and the industry engaged in the manufacture of whatever articles they may be, is increasing the comfort and prosperity and increasing employment of labour and distributing wealth more equally year by year.

Hon. Mr. McCALLUM—Hear, hear.

Hon. Mr. BOULTON—And I say that we as a nation, who have such a magnificent

country and large resources, until we get out into the world with those resources they will be sealed interests as far as the country is concerned, and our national character will be impaired, for ever looking to the government to bolster us up, by parental legislation. We are at the present moment confined entirely in the productive power of the people of Canada, so far as manufacturing is concerned, to the demands and requirements of 5,000,000. The very moment we change our policy and abandon the home market for the more prosperous and valuable markets in the outside world, then, I say, you will see a national prosperity and national growth and national strength for the Canadian people, greater than it is possible for any of us to conceive at the present moment. We have all the facilities, we have all the advantages and we have all the opportunities that the people of Great Britain enjoy, which is access to distant markets and cheap water transportation in eastern Canada, the cheapest method of transportation. We have all the material for constructing the means of transportation, and they penetrate to the heart of our country. With all those advantages, I say, hon. gentleman, that there is no trouble and no difficulty in the world in our adopting the same policy exactly as the people of Great Britain pursue. So far as our revenue is concerned, the revenue of Great Britain, which has now been adopted in its entirety by New South Wales, is voluntarily contributed by the people. There is no tax which you are compelled to pay—at least, a very small proportion of it, excepting upon luxuries, such as spirits and things of that kind. There are 20,000,000 pounds, collected upon spirits, wines and tea and a few minor things of small importance. The excise and import duties are in Great Britain equal; in Canada there is a difference of 55 cents between the excise on spirits and the duty upon imports, which represents so much loss to the revenue in consumption.

Hon. Mr. COCHRANE—Do you call tea a luxury?

Hon. Mr. BOULTON—No, that is the only item upon which taxation is put, but it enables no manufacturer to extract from the public wealth a counterpart of the tax. Then the next is the post office. That is a large source of revenue. The tele-

graphs are a large source of revenue, the stamps are a large source of revenue, that is voluntary, that is a voluntary tax, it is a tax upon the profits of the people and not upon the labour of the country, but you have taken it off the profits and wealth and put it on the labour and industry of the country. The people of Great Britain are wiser than that. They put the tax on the profits of the country and not on the labour of the country, because they know the labour means the foundation of wealth and national strength and free trade secures a more equitable distribution. We have adopted the opposite course. We know the labourer must buy flour and boots and a suit of clothes and so on, and therefore, upon all those articles a duty is imposed and a taxation to the extent of 90 per cent of the revenue of the country is extracted from those whose incomes are below \$500 a year. I think the statistics prove that conclusively whereas, if you change the system and adopt the English system and release labour from taxation and make it a voluntary contribution your revenue will expand through prosperity. We have reached the limit of our revenue paying power, and have had again to impose a direct tax on sugar. That tax hampers every industry for which sugar is required. The British system of taxation is the fairest and least burdensome, and produces the largest revenue. The labouring men of the country are free from all taxation on necessities appertaining to their industry, and under that system of collecting the revenue, the revenue of Great Britain stands out as the largest revenue in the world, and as was stated by the chancellor of the exchequer, it is a revenue that is collected with less burden of taxation to the people of Great Britain than the people of any other nation enjoy, and therefore, hon. gentlemen, I am in hopes—in fact, I do know and believe that a change is coming over the minds of the people of Canada. The public returns are an evidence of how they are feeling the burden, how they must be feeling the burden, and wise statesmen are those who do not wait till the expression of opinion is given at the polls, but see how far the public returns, which are our only guide in the general conduct of affairs, are operating to make the people dissatisfied or the contrary, and I say there is every evidence in the returns that I have brought be-

fore you and which I could have multiplied to a very great extent if I were to take the time to do it, I say there is the very best evidence that—not in the city of Ottawa probably, or in the manufacturing circles of Montreal or Toronto, but in the broad areas of the country, the great mass of the people are feeling the burden of the commercial policy that is now in vogue, and that has reached its tether, as shown by the various tests we are able to apply in the consideration of our public returns which indicates the general trade of the country. The increase in the exports of the last two months which is recorded in our exports cannot be taken as an evidence of our general trade as they are made up largely of the export of western produce and 2300 head of cattle from the United States shipped lately by the Canadian Pacific Railway through St. John, and the increase in revenue is largely made up by the direct tax on sugar which was not in existence this time last year.

Hon. Mr. MACDONALD (B.C.)—I think hon. gentlemen will agree that the hon. Senator from Shell River deserves much praise for his essay on, and researches in, political economy. They are evidence of perseverance, hard work and brain power. Whether future politicians will draw inspiration from his speech, I do not know, but at all events those who read it will derive some information. The practicability of the hon. gentleman's theory at this stage in our commercial history is the standard by which I measure it. He will find it difficult to produce a fair comparison between the condition of things in the Dominion, and the conditions in England, which, from the time of the Norman Conquest, 850 years ago, has been growing in wealth and population, whereas the birth of this country may be said to have begun on the ratification at the Treaty of Paris in 1763, about 130 years ago. I therefore ask how can accurate data be had on which to found a reliable comparison between a country which has been growing for so many hundreds of years, and the growth of this young country? If a reasonable comparison can at all be had, it must be on the basis of population, and taking circumstances into consideration. The hon. gentleman will admit that without population there would be no commerce. We find the one country in the midst of the old world, surrounded by millions of people who contribute to its

commerce and wealth, and the other a young colony separated from the centres of wealth and population. I shall, however, place a few figures before the House, making a comparison on the basis of population, by which I hope to show that this country has held its own commercially in comparison with Great Britain. Should the comparison appear utopian, or chimerical to hon. gentlemen, I trust they will attribute the necessity for its being so to Shell River, rather than to myself. In order to make this comparison I must go back to a period in the history of Great Britain when its population more closely agrees with that of the Dominion at the present day. This will bring us to the year 1573 when the illustrious Queen Elizabeth reigned. The population of England, omitting Ireland and Scotland, was 5,500,000.

The imports were.....	\$10,500,000
The exports were.....	9,400,000

The total commerce in 1573..	\$19,900,000
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Showing a per capita of...	\$3.62
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I will now take the Dominion commerce for 1893:—

The imports were.....	\$129,074,268
The exports were.....	118,564,352

Total commerce.....	\$247,638,620
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Showing a per capita of... \$45.00
as compared with \$3.62 with equal populations. I am willing to make every allowance for skill, science and facilities this country now enjoys, compared with that enjoyed by England in 1573, but notwithstanding that allowance, and supposing conditions to be equal, the commerce of the Dominion stands in a high and proud position, and it will be seen from the figures just quoted that with equal conditions it would hold its own against Great Britain. I will now take a leap forward of 237 years, a long span, to the year 1810 in the reign of George III. which does not show very rapid progress. The population increased at the rate of about 42,200 per annum reaching in 1810 for Great Britain and Ireland... 17,800,000

The imports that year were.	\$151,000,000
The exports.....	294,000,000

Total commerce in 1810..	\$445,000,000
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Showing a per capita of ..	\$25.00
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as against \$45 per head for the Dominion. These figures show clearly that the Dominion with a population not one-third that of Great Britain, imported and exported eighty per cent per capita more than Great Britain did in 1810.

Hon. Mr. BOULTON—Protection reigned in England at that time.

Hon. Mr. MACDONALD (B.C.)—We will come presently to the free trade era, and the hon. gentleman will see that under that system the returns in some years showed declines. I now propose to show that trade in Great Britain fluctuates, rising and falling as in other countries. In 1820 the commerce of Great Britain fell below that of 1810—\$75,500,000, and in 1830 there was the same decrease; in 1850 there was a considerable increase, amounting to \$400,000,000, over that of 1810—the progress of forty years. But the most remarkable increase took place in 1860, the volume of commerce reaching \$1,875,000,000 being as much as that of the previous four years in Great Britain.

Hon. Mr. BOULTON—That was under free trade.

Hon. Mr. ALMON—That year the Conservatives were in power in England.

Hon. Mr. MACDONALD, (B.C.)—In 1889 the commerce of Great Britain reached its highest point, the imports being \$2,136,000,000; the exports being \$1,565,000,000, total commerce in 1889, \$3,701,000,000, the population at this time being 37,800,000, showing a per capita commerce of \$98.00, and even in the face of such figures, I have the courage to make a comparison. We find that the Dominion commerce per capita in 1893 was \$45.00, and this comparison being on the basis of population, when I equalize the population and bring that of the Dominion to the level of Great Britain, our commerce per capita would amount to \$310 as against \$98 for Great Britain. Is it not safe to say—and well within the lines of reasonable expectation—if we now produce \$45 per head, that with a population equal to that of Great Britain, our commerce also would be quite equal?

Hon. Mr. BOULTON—Why do you multiply by seven?

Hon. Mr. MACDONALD (B.C.)—Because my figures are entirely on the basis of population and to bring ours up to that of Great Britain in 1889. In 1895 the commerce of Great Britain suffered a sharp decline in imports and exports, \$187,262,165 less than that of 1889, the chief decline being in exports, again showing that trade fluctuates, rising and falling as much in Great Britain as in the Dominion, from causes not always easily accounted for. I could direct attention to the great decline in one of England's staple products—the iron and steel trade, which has fallen off fully 100 per cent in 10 years, whereas the production in Germany under a protective tariff has increased from half a million tons in 1878 to 5,825,000 tons in 1895. Germany takes the pig iron from England, manufactures it and exports it at lower prices than their English competitors can touch. The *New Review* contains an interesting article on the subject, under the heading "The Downfall of English Trade." The writer shows that the German manufacturers are underselling their competitors in the markets of the world, while paying artisans as good wages as are paid in England.

Hon. Mr. POWER—Do I understand the hon. gentleman to say that the wages paid in Germany are as high as those paid in England? That is not what we have been taught as a rule, and I should like to know the hon. gentleman's authority.

Hon. Mr. MACDONALD (B.C.)—You will find it in the article to which I have called attention. A commissioner was sent to Germany some years ago to ascertain why the German manufacturers were underselling the British manufacturers, and the artisan reported that while the general impression was that German artisans were paid less than English artisans, it was not so—that the German process of manufacturing was better, and they produced better iron than their English competitors. Whilst Great Britain had the markets of the world to provide for, she could indulge in the magnanimity of free trade; with all commercial avenues barred by high tariffs, can she afford to continue a free trade policy? I think not. The decrease in the exports of any country is no sign of a decline in its

progress, but rather a sign of the lack of purchasing power in the country which imports. That the United States does not take so much sawn timber as in former years, may be attributed to two causes—first, that the depression and disturbed financial policy of that country for the last three years has retarded its progress, and lessened its purchasing power. Second, that it may be producing more within its own borders, therefore requiring less of our products to supply its wants. Then, again, any decline in exports to Great Britain of food stuffs may be reasonably expected. The more wheat and beef sent in by the United States, the Argentina, India and Russia, the less it will take from us. Again, the tonnage of trade may be as large as hitherto, but the exceptionally low prices prevailing makes the cash returns less and the volume of trade appear less. It is well known to students of history that although England was at war almost continuously from 1795 to 1816, she carried the war into other countries, whilst within her own borders the ravages of war were avoided. When the greater part of Europe was harassed and torn to pieces, with sword in hand day and night, instead of the plough, the loom, and the forge, England was able to prosecute her home industries, build her ships, and manufacture for herself and the rest of the world; then the millions of her own money borrowed and spent in those warlike days, with the interest on her national debt going into the pockets of her own people, gave her the advantage over all the nations of Europe, and laid the foundation of commerce strong and deep. It must also be remembered that, when this foundation was laid, England's policy was not free trade, but she had a good round revenue tariff to help her. It is quite possible that should this country progress as it has in the last seventeen years, and maintain its present fiscal policy for 100 years, it may be able to do as England has done—remove all barriers, and come to free trade, but that will not be in our day. I intend to close my remarks by making a comparison of Dominion trade with Dominion trade, by which I will show that we have gained under a quasi protective policy more than we have under a low revenue tariff. I will first take that period in the affairs of this country from 1870 to 1879—ten years under a revenue tariff. To make up the ten years,

I am obliged to add the year 1879 to the previous time.

The imports for those ten years with revenue tariff were.....	\$1,029,217,505
The exports in the same period were.....	795,072,350
Total commerce....	\$1,824,289,855

I now take the period from 1886 to 1895—10 years.	
The imports for that period under a quasi protective tariff were....	\$1,175,907,195
The exports for that period were.....	\$1,013,017,216
	<u>\$2,188,924,411</u>

Showing a difference in favour of high over low tariff of	\$364,634,556
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Hon. Mr. BOULTON—The hon. gentleman is forgetting entirely that British Columbia, Manitoba and the North-west Territories were not included in the first period.

Hon. Mr. MACDONALD—We have to take the Dominion as it stands. Under the revenue tariff system our commerce reached the highest point.

The imports in 1874 and exports in 1873 being..	\$218,603,504
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And for the period under the quasi protective tariff the highest point ever reached in our commerce was in 1893, being \$247,636,620. This shows a difference between low and high tariff in one year's transactions of of \$29,635,116 in favour of our national policy. Is that a falling off in trade? It is a gain in ten years over a previous ten years of the enormous sum \$364,634,556, a gain sufficient to wipe out the whole public debt of Canada and leave \$100,000,000 besides. Not only has this gratifying increase in our commerce taken place, but the development in many directions has been very great—thousands of miles added to our railway system, millions added to the capital embarked in different enterprises and to the wealth of the country, thousands more hands employed, fewer idle men, and much less want among our poorer classes than there was

during the period of low tariff from 1870 to 1879. I submit to the decision of this House whether the hon. gentleman has made out his case, that the commerce of the country has declined, or whether I have proved my contention, that the commerce and general interests of the Dominion have greatly increased in the last ten years over the preceeding ten, and that on the basis of population our commerce is quite equal to that of Great Britain.

Hon. Mr. McCALLUM—The hon. gentleman from Shell River asked us if we desired to add to the comforts of the people of this country? I reply that I for one do—that I want the working man of this country to be comfortable, and to see his children well fed, well clad, and well educated. Now, are not the people of this country well fed, well clad, and supplied with means of education to a larger extent than any other nation? Is there any country in the world where people are more prosperous than in Canada? I do not believe there is. The hon. gentleman lays down the doctrine that the more we buy the better off we are. In my opinion the more we buy the worse off we are, if we have not means to pay for what we purchase. The hon. gentleman agreed with me when I said that we had to pay for our imports with our exports, yet he congratulates Great Britain because she imports more than she exports. But how does Great Britain make up the difference? Let the hon. gentleman consider for a moment that Great Britain is the banker of the world, that she has money loaned in almost every country of the globe and that the interest on those investments helps her to pay for her imports. But we in Canada have no money to lend; we are borrowers, and that changes the case entirely.

Hon. Mr. BOULTON—We are getting into debt further and further every day.

Hon. McCALLUM—The hon. gentleman should approve of that. He would have us deeper in debt than we are if we were to adopt the policy that he advocates and buy more than we could pay for. I should feel very much better pleased if our exports were a great deal more than our imports—it would show that we were making money. There has been a depression all over the world.

Hon. Mr. BOULTON—There is no depression in England.

Hon. Mr. McCALLUM—There may not be among the wealthy, but there is depression in England among the poor, and the poor are heavily taxed. England collects as much revenue from the tax on tea and coffee alone as we collect from customs altogether. The poor man in England is too poor to buy milk and his tea and coffee and beer are taxed. What is he to do? Drink pump water, that is the only beverage that is free. In this country tea and coffee are on the free list. I say let us continue our present policy; we are doing well under the national policy. I want to see this country producing and manufacturing all that the people require to give them all the comforts of life.

Hon. Mr BOULTON.—No matter what it costs them!

Hon. Mr. McCALLUM.—We will produce it by the labour of our own people. If you purchase an article abroad and bring it into the country, it soon wears out and the money is lost to the country; but if it is produced here, the money that is paid for it is distributed among the people, and when the article is worn out another can be produced in the country to take its place. Our own people are employed instead of foreigners, and the money is kept in Canada. Look at the position of the Dominion in the world to-day—see how well our credit stands abroad! I claim that there are not 5,000,000 people on God's footstool who are better off than the Canadian people. What a nation Canada will be in the future with the advantages we have! I am only sorry that I was born too soon to live to see Canada fulfil her great destiny.

Hon. Mr. COCHRANE.—You will stay a good while yet.

Hon. Mr. McCALLUM.—I hope so, but nations do not develop in a few years. England collects from customs duties about \$100,000,000, of which \$17,000,000 is derived from the tax on drink used by the people—taxation upon what the hon. gentleman admitted to-day was a necessary of life.

Hon. Mr. BOULTON.—I did not say that it was a necessary; I said it was a luxury.

Hon. Mr. McCALLUM.—Then I misunderstood the hon. member. Whether the hon. gentleman considers tea and coffee necessities of life or not, the people of this country certainly consider them necessities, or at all events great comforts, and the policy of our government is to admit them free of duty. Now as to preferential trade within the empire, I cannot see anything very alarming about that policy. The hon. gentleman says that Sir Charles Tupper is trying to induce the people of England to adopt protection, and my hon. friend is trying to show the Canadian Senate how beneficial free trade would be to us. I cannot see any harm in that either. I say here as a Canadian, as a British subject—I am proud of being one, too—that if we can make an arrangement with the mother country whereby they can give us an advantage in their market, particularly for the agricultural productions of this country, we can afford to give them advantages for their manufactured goods in this country.

Hon. Mr. ALMON.—Hear, hear.

Hon. Mr. McCALLUM.—That is my idea of it. Is there anything wrong in that? I do not expect to convert the people of Great Britain from free trade altogether. They are married to it. It is applicable to their condition, but it is not applicable to ours. We could not get along with it at all. It may do very well for them, but it won't do for us. The hon. gentleman speaks of putting the matter before the people of the country as if it were something new. It was talked of before the people of this country years ago, and many think that if the people of Great Britain can give us a preference in their markets we can afford to give them advantages in ours. The hon. gentleman talks about freedom from taxation in Great Britain. If you have a wagon you are taxed about £1 10s. If you have a cart, the tax is 15s. If you have a gun you are taxed from £1 to £3, and if you have a servant you have got to pay a tax of from £1 to £3, and if your game keeper employs a servant he has to pay large taxes.

Hon. Mr. POWER.—Don't you think you should?

Hon. Mr. McCALLUM.—I do not know whether I should or not. At least, we have not got down to that in this country. If a bird comes on your farm in Canada you can

shoot it without being fined for your sport; you cannot do that in England. When the hon. gentleman holds out before us Canadians the great freedom they have in England, we should reflect that we have more freedom in Canada.

Hon. Mr. BOULTON.—Freedom to kill all the game.

Hon. Mr. McCALLUM.—We do not want to kill it all.

Hon. Mr. POWER.—I misunderstood what the hon. gentleman said.

Hon. Mr. McCALLUM.—And we do not have to pay a license here to catch fish or shoot game. Consider just this duty on tea. In England they are rejoicing that it is going to be permanent revenue. The return says:—

As the estimated increase of the population is at present under 1 per cent per annum for the United Kingdom, whilst this advance is at the rate of 2·6 per cent, the tea revenue would appear to be in a very healthy state. The increased quantity consumed was 5,653,000 lbs. There is at present no sign of any discontinuance of this favourable condition of an important branch of revenue.

Free trade England taxes the people \$17,000,000 for the tea that they drink.

Hon. Mr. BOULTON.—It does not seem to reduce the ability of the people to purchase it.

Hon. Mr. McCALLUM.—I have explained that the capitalists in Great Britain are the bankers of the world. Do you mean to say that no people in England drink tea but the labouring classes? The masses drink it.

Hon. Mr. POWER.—It is all consumed at five o'clock teas.

Hon. Mr. McCALLUM.—Compare the condition of our people with that of the people in England. They are no better off than the people of Canada. Our working men are much better off, and they know it. There is another point that I may say something about in reference to Great Britain. She has other sources of revenue besides her exports. She has the employment of her vessels. Whatever they earn over and above expenses goes to enrich the country where the owners live. We derive some revenue here under that head and if you add that to our revenue the exports will come up pretty well. When I buy anything,

I want to see how I will pay for it, but the doctrine that my hon. friend lays down is the more you buy the better off you are. That is not the opinion of the people of this country. They are very careful how they buy. It is all very well if you bring in raw material to be manufactured in the country, but the Canadian tariff allows most of the raw material to come in free. There has been a great deal said on this question, and the people understand it very well. It has been part of the announced policy of the reform party that they were going to have free trade as they have it in England, but lately they abandoned that idea pretty well. I think the hon. gentleman, like the last rose of summer left blooming alone, is the only advocate of the policy remaining. The party are wise in abandoning a policy which is wholly unsuited to our circumstances. If they were to come into power to-morrow, they could not change the tariff very much; they must have money to carry on public improvements and to pay the expenses of government.

Hon. Mr. ALMON—Do you think there is any danger of their coming in?

Hon. Mr. McCALLUM—I do not know: that is in the hands of the people. Certainly there is no chance of their coming in, as long as they stick to free trade as they have it in England. I am satisfied of that, because the moment you adopt free trade, you come to direct taxation and the people of this country know what that means. They have direct taxation now in many provinces of the Dominion for municipal government, and they would not very willingly pay taxes to support the Dominion Government also, because they go upon the principle that the dancers should pay for the fiddler, that the tax should be collected from the consumer. It is collected in Canada now more on luxuries than on the necessities of life. There is one thing of which I do not approve. I do not like reducing the duty on wine; we have lost revenue by it. I do not like to legislate for the rich and against the poor. I did all I could to try and prevent that because, we produce good wine in this country. We can produce all that is wanted in Canada to make men feel comfortable, and I should like to see it used in every house. I like to see the furniture, stoves, clothing, everything required in a house, manufactur-

ed here, and we do manufacture it here, and that is one reason why our imports are diminishing. If we manufacture for ourselves, we do not want to buy abroad. A reduction of imports is a good, healthy sign, because it shows that our people are employed in producing what we require and we should continue that policy. Until I see good reason to change my views, I shall stand by that policy no matter what government is in power. If there should be a change of government—and many think there may be—and the ministry should depart one iota from the present commercial policy, the people would not stand them long.

Hon. Mr. POWER—I suggest the hon. member had better move the adjournment of the debate and allow us to finish the order paper.

Hon. Mr. ALMON—Better finish the debate now.

Hon. Mr. POWER—No, we cannot finish it to-night, unless we sit pretty late.

Hon. Mr. ALMON—Don't you think we have had enough of this rot?

Hon. Mr. McCALLUM moved the adjournment of the debate.

The motion was agreed to.

BILLS INTRODUCED.

Bill (32) "An Act respecting the Winnipeg Great Northern Railway Company." (Mr. Kirchhoffer.)

Bill (36) "An Act to incorporate the South Shore Suburban Railway Company." (Mr. McKay.)

CANADA AND MICHIGAN BRIDGE AND TUNNEL COMPANY'S BILL.

THIRD READING.

Hon. Mr. McINNES (Burlington) moved the third reading of Bill (42) "An Act respecting the Canada and Michigan Bridge and Tunnel Company."

Hon. Mr. ALMON—I had intended to move that this bill be not now read the third time, but that it be read this day six months, but I do not know whether the majority of the House would support my motion.

However, I am anxious to put myself on record as being opposed to this measure, for several reasons. In the first place, the river that the company propose to bridge is an international river, belonging to the Dominion of Canada in part and to the United States in part, yet we are asked to authorize the construction of a bridge over a river only half of which belongs to us. One clause states where in United States territory the piers are to be situated—that is exceeding the powers which belong to us. We are legislating that a bridge shall be built over property which belongs equally to us and to the nation next to us, and that work shall be done on territory with which we have nothing to do. The answer to that is that it cannot be done without their consent. Our undertaking to do so is an insult to the United States. If the United States were to do anything of the kind, instead of twisting the lion's tail they would be twisting the beaver's tale. Supposing I sold a piece of land and told the buyer that he could put a bridge over a neighbour's property, of course he would not get the right from me to do it, and it would be an insult to his neighbour. If the United States had passed such a measure, I should have said it was an interference with our rights, and I think the United States may very properly say that we are interfering with their rights. I have still another reason for opposing this bill. When the Board of Trade of Montreal came here, we did not listen to them as we should have done. There were a few men in the committee who knew as little about the river as I did. I am telling you now the secrets of the Committee, but I do not think the committee should be a star chamber and I do not think my mouth or the mouth of any member of the committee should be closed. I do not think the representative from Montreal was treated as he should have been. He said the Board of Trade of Montreal objected entirely to the bridge being constructed over that river and who were the next to object to it? The owners of vessels which ply on the Detroit River.

Hon. Mr. POWER—I had no idea that my hon. friend was going to discuss the measure.

Hon. Mr. ALMON—Did not I tell you that we would not have time?

Hon. Mr. MACINNES—With the permission of the House I move to have the bill read the third time on Monday.

Hon. Mr. ALMON—I think it is a wrong measure and we should throw it out.

The motion was agreed to.

THE PEARSON DIVORCE CASE.

REPORT OF COMMITTEE ADOPTED.

Hon. Mr. KIRCHHOFFER—I have waited all afternoon to move the adoption of this report of the Divorce Committee and there will be no debate whatever. I move the adoption of the report.

Hon. Mr. ALMON—I object to that report. What does the respondent want the money for? To defend herself? She wants the money because she claims to be a pauper. I heard that she was not. I think that the funds should not be granted to her to rake up evidence and bring witnesses from as far as California to prove charges against her husband. I do not think she should have the money.

Hon. Mr. KIRCHHOFFER—I might say that the bill is going to be withdrawn. I merely make this motion to put the matter in proper form. The bill is not being proceeded with.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Monday, 16th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

DELAYED RETURNS.

INQUIRY.

Hon. Mr. McINNES (B. C.)—I should like to know when the returns that I have been waiting for so anxiously will be brought down. On Wednesday last the Premier sent

a note across the House to me stating that the return was in course of preparation and would be brought down in a day or two. I refer to the correspondence which took place between the representatives in the House of Commons and the Board of Trade and City Council of the city of Victoria, with the Postmaster General respecting some post-office clerks and letter carriers of that city. The order was made by this House on the 13th July last. I hope the return will be brought down without further delay. I am perfectly satisfied that it can be prepared inside of an hour by any typewriter or clerk in the department.

Hon. Mr. FERGUSON—In the absence of the Premier, I cannot give the hon. gentleman the information that he desires, but I will have it for him to-morrow, and I have no doubt that any promise which was made to the hon. gentleman will be carried out.

Hon. Mr. MACDONALD (B. C.)—There is danger that the hon. gentleman may, if this is not brought down soon, move for remedial legislation.

BILLS INTRODUCED.

Bill (56) "An Act respecting the Montreal Island Belt line Railway Company."—(Mr. Bellrose.)

Bill (60) "An act respecting the Thousand Islands Railway Company."—(Mr. McMillan, in the absence of Dr. Sullivan.)

Bill (50) "An Act respecting the South Western Railway Company and the St. Lawrence and Adirondack Railway Company."—(Mr. Bellrose.)

Bill (63) "An Act to incorporate the Peat Fuel Company."—(Mr. McKindsey.)

Bill (54) "An Act to incorporate the Edmonton District Railway Company."—(Mr. Perley.)

THE PEARSON DIVORCE CASE.

REPORT PRESENTED.

Hon. Mr. KIRCHHOFFER, from the Committee on Divorce, presented their report recommending that the petitioner be given permission to withdraw his bill. He said: When the committee met this morning, counsel for the petitioner appeared and stated that in consequence of the counter

petition which had been filed, in which all the charges of misconduct against the respondent had been denied under oath, it would be necessary for him to produce a large number of witnesses, many of whom lived in the United States. At this late period of the session, it was unlikely that the petition could be pressed forward to a conclusion and he asked leave to withdraw the bill. The counsel for the petitioner stated that the respondent had due notice of the application to withdraw the bill.

Hon. Mr. ALMON—I understood that the report which was made the other day recommended that a sum of money be given to this woman to help her to prosecute her suit. I have no objection to money being given to a woman to defend herself, but I have very strong objection to money being given to enable her to make any counter charge against her husband. There are many instances where it would be wrong to furnish money to a woman who is accused, as the respondent in this case is, although it was the custom of the House of Lords to do so. In all probability, now that such matters are referred to judges, a divorce case is conducted on the same line as a criminal prosecution brought against a pauper, the Court furnishes a lawyer and pays the expenses of the witnesses. In some cases it may be a hardship that the money should not be furnished by the husband to the wife to defend herself, but to furnish money to her to bring in a counter charge against her husband, would be very wrong indeed. Everybody knows, and no one better than a medical man, that women are often jealous of their husbands without a cause. The medical man is often made the father confessor in such cases, but when a woman confesses to him she does not confess her own sins, but confesses the sins of her husband, and I think if she knew that all she has to do is to come to this House, and apply to the very good-natured chairman of the Divorce Committee, who would grant her money to bring an action against her husband, and look up all the witnesses she could find against him, she would bring on a suit unless she was appeased by a present of a sealskin coat, or something of that kind. The reason why I interrupted the hon. gentleman on Friday last, when he brought in his report, was because I understood that it contained a recommendation to grant money

to the woman, and I wished to know to what purpose that money was to be applied. The hon. gentleman complained that, on account of my request, he was detained here, and prevented from listening to the splendid speech delivered by the Hon. Mr. Foster in the other House. Had he been in his place in the Senate, he would have heard from the hon. member from Shell River a speech remarkable for fluency and elegance of language, but which, I confess, he may have heard on several former occasions. I think the greatest pleasure we experience in hearing an old song is that it recalls the memory of bygone days, and several of the speeches that I have heard on Free Trade in this House recently have the same charm. I expect we will hear a good many more of them before this session is over.

Hon. Mr. KIRCHHOFFER—Under ordinary circumstances I would move that this report be adopted, but having been pulled up so shortly the other day by the junior member from Halifax, I move that it be taken into consideration to-morrow.

The motion was agreed to.

CANADA AND MICHIGAN BRIDGE AND TUNNEL COMPANY'S BILL.

THIRD READING.

Hon. Mr. MACDONALD (B.C.), in the absence of the Hon. Mr. MacInnes (Burlington), moved the third reading of Bill (42) "An Act respecting the Canada and Michigan Bridge and Tunnel Co."

Hon. Mr. ALMON—Before this bill is read the third time I wish to make some few observations about it. This bill, I am aware, has passed its first and second readings, and been reported from the committee—but I am anxious that my name should appear as being opposed to the measure. In the first place—I may be wrong in this—but I think it is a very improper thing. The Detroit River is the joint property of the United States and the Dominion of Canada.

Hon. Mr. FERGUSON—The hon. gentleman who has charge of this bill is absent, and as there is some opposition to it, I suggest that it would be well to postpone the third reading until to-morrow.

Several Hon. MEMBERS—Go on.

Hon. Mr. ALMON—The Detroit River, as I have said, is the common property of the United States and Canada, and it is very wrong that any bill should pass the Canadian Parliament to put obstructions in that river, which would interfere with navigation in the slightest degree, without having the concurrence of the United States Government in the first instance. If a bill of this kind had passed the United States Congress and was sent to us, I would say it was an insult to this country. I have no doubt I will be told that even though we pass this bill it need not necessarily be assented to by the United States, but would I have a right, when I sold property to a man, to say that he should have right of way across another man's property to get to it? The answer to that would be I have no power to give such a right. I think it was Lady Mary Wortley Montague who said, "he comes too near who comes to be denied." I think we should not ask for anything that we have no right to get, but there are more serious objections to this bill. When it was brought before our committee there appeared in favour of the bill the lawyer who promoted it, and the hon. member from Ottawa, and it must be a very bad railway bill that he would not support. It was opposed by a representative of the Montreal Board of Trade, who informed us that it was protested against by the Hamilton Board of Trade and the Boards of Trade of Kingston, Prescott and other places as well, and that the strongest protest came from the owners of vessels who used the Detroit River. They protested against any obstruction being placed in the river, and the reason they gave was that when they came to Detroit there was a bend in the river and that the obstructions caused by the piers could not be seen until they were about upon them. Detroit is a city of 300,000 inhabitants, and is a large manufacturing centre, and the smoke from the factories is blown by the prevailing winds across the river, often obscuring the view. Besides, there are often fogs and snow storms on the river, and it is sometimes impossible for the captains of the vessels to see their way for any distance before them. The vessels which pass through this river have a tonnage larger than the vessels going up the river Thames or the river Mersey, so that you can understand the magnitude of the traffic on the Detroit River. There is a steam ferry which

crosses every five minutes, and likewise large steamers conveying railway trains across, and therefore you can see how very necessary it is that no obstruction should be placed in the river. I am told that higher up the river is narrower, and I daresay that at some future day the river will have to be widened there, but that is no reason why anyone should be allowed to dam the river near Detroit. The gentleman who gave us this information was sent to represent the owners of steamers which ply on the Detroit River. He was a native of Kingston and was a fine specimen of a Canadian, but unfortunately was born before the National Policy was adopted, and therefore, being unable to make a living in his own country, emigrated to the United States. But as the national policy gets more developed, as I trust it will be after the next election, those Canadians who have been obliged to go to the United States to earn a livelihood will return and take their places among their countrymen. The representative of the steamboat owners spoke strongly of the danger which this bridge would cause to navigation if built. He explained that he was in the habit of towing barges laden with ore from Lake Superior. The vessel with the tow ropes attached and the barges made a line nearly three-quarters of a mile in length. You can imagine such a tow coming down towards this bridge, with a current of $2\frac{1}{2}$ miles, and being obliged to turn aside to pass a steamer; there would be danger of the barges being wrecked on the piers. The answer to that was that this bridge will be very well lighted. Of course, it will, but Detroit is well lighted, and Windsor on the opposite side is well lighted, and the lights of the towns might confuse the lights of the bridge and it would be impossible on a snowy night to see them. I take an interest in this, because I have a vivid recollection of some incidents which occurred in Nova Scotia. One evening there was a tug coming from Sydney to Halifax with a couple of barges laden with coal. The evening was stormy and she hugged the shore, but the storm became so violent that the captain of the steamer was obliged to cut the tow ropes in self defence, and the barges were driven on the shore and all on board were lost. He remained with the barges as long as possible, and the consequence was that his vessel was lost also, and the following day twenty corpses were brought into Halifax. Are we not exposing

these men who have trade on the Detroit River to similar accidents? They think that we are. I will give another instance: Capt. Gulford, a braver sailor never trod the plank of a ship, was sent with a government steamer to tow a vessel from Parrsboro' where she had been recently built, to Digby where she was to take in her spars and rigging. While towing her a storm came on and he was obliged to let the vessel go and every soul on board perished. When we consider these things, and when we bear in mind that the Board of Trade of Montreal must know something of what they are talking about, that the Boards of Trade of Hamilton and Prescott must know something about it, and that these men who trade and risk their lives and property every day on the Detroit River have protested against the bill, we should hesitate before consenting to anyone putting an obstruction in the river. Hon. gentlemen think it will be a high bridge, but the bill provides that the company can either build a high bridge or a low bridge. A high bridge will cost four times as much as a low bridge, and it is not very likely that they will construct the more expensive one. It may be said, however, that the United States Government have not given their consent; but that they may if we pass this measure. On the contrary, the evidence given to us is, that they will do nothing of the kind. When President Cleveland was spoken to on the subject, he said: "you know we are opposed to piers in this country." The men may be, but the women of the United States are not and take every opportunity they can to get them, as we never hear of any of them refusing one. I think when you soberly consider this question, you will be disposed to share the credit with me of opposing this bill. My hon. friend from Truro will no doubt join me.

Hon. Mr. McKAY—Certainly not.

Hon. Mr. MACDONALD (B.C.)—I have no complaint to make of the remarks of the hon gentleman from Halifax, but they come a little too late. This bill is to amend an Act already in existence. Some years ago this company got a charter to build a tunnel or a bridge. No action has ever been taken under it, and the United States Government never passed a corresponding measure and of course without that this bill will be useless. Evidence was placed before us that

there are many places in the Detroit River where the channel is only 300 feet wide. If this bill is passed, a high level bridge is to be constructed 145 feet above the river with a span 1,100 feet wide. With an opening three or four times as wide as the narrow part of the river, where is the danger to navigation?

Hon. Mr. McCALLUM—There are channels only 400 feet wide and rocky on each side in the Detroit River.

Hon. Mr. MACDONALD (B.C.)—Evidence was furnished that there are channels of less width than the span of this bridge and that in addition to this span of 1,100 feet there is clear water for 400 or 500 feet between each pier and the shore. So the House will see that there can be very little impediment to navigation. The company formerly had power to build a low level bridge so that there can be no objection to this amendment. The navigators of those waters are perfectly satisfied with the height of the bridge. They stated that there are very few vessels which would require that height, and with such an enormous span, if they get the concurrence of the United States Government in the matter, there will be no danger at all to navigation.

Hon. Mr. VIDAL—The statements which have just been made by my hon. friend from Victoria are calculated to mislead the House. There is no similarity between the narrow parts of the river, through which vessels have to pass, and the obstructing of the wider channel by placing two piers in what might be called the navigable part of the river. There is no comparison between the two. In the narrow parts of the river there is no obstruction in the way of vessels coming down with the current.

Hon. Mr. McKINDSEY—The banks are there.

Hon. Mr. VIDAL—They do not take vessels on the banks. Surely hon. gentlemen must see that there is a vast difference between placing obstructions in the river and having a narrow channel without any obstruction. I live on that river and know the traffic which passes up and down and am familiar with the requirements of navigation there, and to my judgment it would be very injurious to the interests of navigation to

allow these piers to be placed in the channel. No one has objected to the height the bridge. The middle span is to be 145 feet above the water, and that will be ample for all purposes of trade, because we know that now there is a tendency rather to lower than to heighten the masts of vessels in consequence of the preponderance of steamboats and tugs. It is an acknowledged possibility that the river could be spanned by a high level bridge without a pier in the river; it is simply a matter of cost. Allusion has been made to the fact that they already possess power to construct a low level bridge, and that instead of asking for additional privileges, the present bill merely grants the alternative of the erection of a high bridge. That is very apt to mislead us. It is true that as the Act stands on our Statute Book they have power to construct a low level bridge, but it might just as well not be there. The United States authorities would never consent to the construction of a low level bridge with draws on that river; consequently, it is of no value whatever and does not affect the present question. We had before us, in the committee, representatives from the Boards of Trade of Montreal, Kingston, Hamilton and other places, all protesting very strongly against those piers being put into the river. Surely we ought to listen to those protests. Who are better authorities as to the requirements of navigation than the Boards of Trade? They would not, as a matter of taste or fancy, say that the river was not to be obstructed by piers. Their objection is a matter of business, and because the bridge would interfere very seriously with the safety of navigation on that river. The arguments which have been brought against it, we cannot of course bring fully before the House. I have no intention of doing so, but I am not willing that this bill should pass the House without my objections against it being placed on record. My objection to giving them this addition to their old charter is not that I have any fear of the bridge being built, for I have not the slightest expectation that the United States authorities will allow those two piers to be put in the river. We have had experience of how they deal with such cases at Washington. An attempt was made to get legislation to bridge the North River, and it was proposed to put in a span two thousand feet wide. The bill

did pass Congress, but so strong were the representations made to the the President as to the danger of obstructing navigation on that river, where there are no vessels to be compared with those going up the St. Clair and Detroit Rivers, that the President vetoed the bill. I have no very great fear, then, that the company will be allowed to obstruct the Detroit River, because it requires the assent of the Congress of the United States before it can be done, but this is my objection to the present bill—that by passing it in the Senate the advocates of that measure can go to Washington and say, “the Senate of Canada have looked into this thing and they approve of the building of this bridge. They do not consider it an obstruction to the river.” That is why I very much regret the fact that it is likely to pass this House, and, so far, at any rate, as Canada is concerned, give the Company authority to put an obstruction in the river which would be dangerous to navigation.

Hon. Mr. McCALLUM—I know the Detroit River. I have had boats running there for 10 years at least, and hon. gentlemen must remember that although this bill may become law, the Company must get concurrent legislation in the United States before it can go into effect. But when hon. gentlemen talk about the great danger at Detroit, with a channel a thousand feet wide, and two other channels 527 feet wide at each side of the river, it shows they have not studied the question much. When we go down the river a little further and get to the Lime Kiln Channel, you have to go through a channel 400 feet wide which is 1,500 feet long. The evidence given before the committee showed that there is a current of $2\frac{1}{2}$ miles at Detroit, whereas the current at Lime Kiln is $4\frac{1}{2}$ miles. Hon. gentlemen put a great deal of stress about towing barges behind vessels with long lines. What will any man do that understands his business in that case? If he comes in close quarters, he will shorten up his tow line. If I thought there was any danger to navigation at all, I would not consent to the third reading of this bill. The United States have got ten tons going through the Detroit River where we have one, and if they choose to permit this bridge to be built, I say that the Canadians ought to be satisfied. Even if they choose to destroy the

navigation of the Detroit River, we have got another string to our bow.

Hon. Mr. McMILLAN—The Ottawa Canal?

Hon. Mr. McCALLUM—No, but we can build a canal from Lake St. Clair to Rondeau, which will shorten the distance very much, and there will be only one lock. There will be only the fall from Lake St. Clair to Lake Erie. There was no opposition in the committee to this bill that amounted to anything—two or three voted against it, but the committee was almost unanimous in adopting it. Let the United States, who are more interested than we are, oppose the construction of this bridge if they choose to do so. This bill cannot go into effect until the Company get legislation there.

Hon. Mr. McINNES (B.C.)—I propose to lay before the House some facts which were presented before the committee, which I think will remove any doubts which may linger in the minds of any gentlemen who were not present and who did not hear the arguments which were adduced on both sides. The hon. gentleman from Sarnia, who opposed the bill very strongly in the committee, and who still continues to oppose it, mentioned that a few years ago we passed a bill here to enable the Company to build a low level bridge but that simply because it did not obtain the concurrence of the United States Government it never went into effect. That is true, but he forgot to mention that it was stated by the representatives of the common carriers of the United States that a duplicate of this bill is now before the United States Senate and has passed the proper committee of that House and the representative of that carriers association whom I have mentioned—who was opposing the bill not only in the United States but in Canada—expressed the opinion that the bill would pass the Senate and House of Commons of Canada and Congress as well.

Hon. Mr. VIDAL—Not at all; decidedly the reverse.

Hon. Mr. McINNES (B.C.)—In the lobbies of the House he stated that he had no doubt it would pass. I know he did not make that remark in the Committee but he

made it in the corridors of this House. Now, what is asked for is permission to build a bridge across the Detroit River, and I find that on the Canadian side the first span is no less than 527 feet. Then over the main channel there is a clear span of 1,100 feet; and on the United States side there is another space of open navigable water of 527 feet. Now while the different spans of the bridge are of such generous dimensions, we find that section 8 of the ship channel, being a channel through the bar at the mouth of the Detroit River $2\frac{3}{4}$ miles long, is only 800 feet in width. Then we have the Lime Kiln Crossing to which the hon. gentleman from Monck has referred, which is only 440 feet wide, while it is 1,500 feet in length. Then again section 7 of the ship canal, being a channel through Grosse Pointe Flats, Lake St. Clair, is only 800 feet wide while it is $5\frac{1}{4}$ miles long. Section 6 of the ship channel, being a channel above and a channel below St. Clair Flats Canal, which has a total length of two miles has a width which varies from 300 to 800 feet and is only on the average 380 feet. The St. Clair Flats Canal $1\frac{1}{4}$ miles long, is only 300 feet wide. Section 4 of the ship channel, being a channel through a shoal in Mud Lake, St. Mary's River, $1\frac{1}{2}$ miles below Sailors' Encampment Island, is only 300 feet wide while it has a length of $1\frac{1}{4}$ miles. Section 3 of the ship channel, being a channel through a reef in St. Mary's River abreast of Sailors' Encampment Island, is one mile long and 300 feet wide. Section 2 of the ship channel, being a channel in Little Mud Lake, St. Mary's River, between the lower end of Sugar Island and the lower end of "Dark Hole," is 300 feet wide and four and a half miles long. Hay Lake Channel is nine and a half miles long and only 300 feet wide. St. Mary's Falls Canal is 100 feet wide. Section 1 of the ship channel, being a channel at Round Island Shoals, St. Mary's River, has a width of 300 feet, with a length of three-quarters of a mile. This makes up over 18 miles of 300-foot channel from Lake Erie to Lake Huron, not including Lime Kiln Crossing and over 11 miles of other channel varying from 300 to 800 feet. All this evidence was laid before the committee, the opponents of the bill made no attempt to dispute its accuracy, and I cannot understand how any hon. gentleman taking an impartial view of the subject can for a

moment consider that the placing of two piers in the Detroit River at a point where it is over 2,200 feet wide, leaving three clear channels for ships to pass through, would be a serious impediment to navigation. If tugs having any number of barges in tow, from one up to a dozen, can successfully navigate these narrow channels to which I have referred, is there any probability that they will run foul of, or come into contact with, these two piers, especially when they have no less than 1,100 feet to go and come upon? Besides, as my hon. friend from Monck says, the current there is scarcely perceptible. There is only two and a half miles of current at Detroit, while at the Lime Kiln Crossing, the current runs at the rate of $4\frac{1}{2}$ miles an hour. I certainly think that we ought, without any hesitation, to pass this bill. Reference has also been made to the report of the Board of Trade. I was pained to hear from the gentleman who had the bill in charge that, unfortunately, the shipping of Canada upon the great lakes is not only at a standstill, but is actually decreasing, while that of the United States is increasing enormously. Figures were given to show the rapid strides of the shipping belonging to the United States, and I must confess that I was surprised to see that so great an increase had taken place within the last few years. The point I make is this: if the United States, whose inland shipping is increasing so rapidly, are satisfied that such a measure should become law, why should we in Canada whose shipping on the lakes is for the time at a standstill, endeavour to place any obstacle in the way of building this bridge? I have no interest in this matter personally, but I happen to know the place; and I cannot conceive for a moment that one-fourth of the danger which now exists in some places to tugs and the vessels which they may have in tow, can be experienced if the bridge is built. Two or three large lights placed over each pier, one at each side of the pier, would be a guide at night, and there would not be a tithe of the danger to property and life that there is at the present time. No less than three passenger lines of ferry boats ply between these shores at intervals of five minutes, to say nothing of the huge railway ferry boats that carry to and fro the cars and their living freight of passengers. I know that a great many persons entertain the idea that a tunnel should be constructed instead of a

bridge. I believe the Grand Trunk Railway some years ago tested the ground in the vicinity very thoroughly, beginning a tunnel on both sides of the river, but many lives were sacrificed from the foul gases which were generated during the progress of the work, and in the end it had to be abandoned. From what I can learn, it would be almost an impossibility to tunnel under the Detroit River and to escape the poisonous effects of these deadly gases. As far as concerns the difficulties presented by the soft and yielding nature of the strata underlying the bed of the river, means can be found to overcome them, but I am not aware that science has sufficiently advanced to do away with the danger from the gases which must be encountered.

Hon. Mr. MACDONALD (P.E.I.)—If the reasons for the legislation which is now before the House have been fairly set forth by the hon. gentleman who has just taken his seat. I think there is very little reason for passing the bill. We have had read to us a list of the various channels along the route across which it is proposed to construct this bridge, and I am sure all hon. gentlemen must have been struck with the extreme narrowness of these channels extending as they do for many miles in length, both above and below the bridge but the hon. gentleman has not told us the width of the channel at the point where the bridge is to be constructed.

Hon. Mr. McINNES, (B.C.)—Over 2000 feet.

Hon. Mr. MACDONALD (P.E.I.)—I happened to be present at the meeting of the committee during which evidence was given respecting the bridge, and I then came to the conclusion—as I thought most of the members of the committee would have done, but which it seems has not been the case—that it would be a very great and serious obstruction to the river to have these piers placed in the deep water of the channel of the river. It appears that at this particular point in the Detroit River there is a very large amount of traffic. In 1895 30,000 passages were made either by vessels or canal boats, carrying in all 30,000,000 tons of freight past the city of Detroit. Besides that, there is, as was mentioned by the hon. gentleman who has just spoken, a

very large amount of traffic across the river. There are ferry boats carrying over the railway cars, and there are ferry boats carrying passengers as well. A vessel travelling along or across the river can easily keep out of the way of another boat, but it would not be so easy to avoid a fixture like the piers which it is proposed to erect. A collision with a pier of this kind is a very serious matter indeed. It is a very different thing to have a pier in the river to having a sand bank there. Some hon. gentleman has said that there is a sand bank near where the pier is to be constructed. Now a vessel grounding on the sand bank would not be injured materially, but if it were to strike against the pier it would in all probability be sunk. I think in a place of that kind it is a hindrance to commerce to erect a bridge and that it would be very injurious to traffic. Although the space between the two piers may be even 1,100 feet, still we know that the channels leading to and from that space are nothing like so great a width. A vessel towing barges approaching the bridge requires a certain amount of room to sheer to one side or the other, and would run considerable risk of colliding with the piers. It has been suggested that at night lights should be shown on the bridge. I think that would be detrimental to the navigation of vessels on the river because I know from experience that when a vessel is approaching a light, especially if it be a very bright light, instead of being a guide it is a hindrance, because it is impossible to distinguish anything owing to the great glare of the light as the vessel comes towards it. If there were but one light it might possibly serve as a guide, but where there are a number of lights—especially where there is a town or city as there would be in this case on either side—

Hon. Mr. McINNES (B.C.)—The lights might be arranged according to colour so as not to be mistaken one for the other.

Hon. Mr. MACDONALD (P.E.I.)—True they might be of any colour, but where there is such a great number of lights it would be apt to create confusion. The construction of the bridge is objected to by the Boards of Trade and by the people who have the greatest amount of business upon the river—the Carriers' Association and the Ship Masters' Association. There is no class of people, surely, who can know more about the

navigation of the river and the importance of preventing unnecessary obstructions than these very people, and so far as I am concerned the junior member for Halifax will certainly not vote alone on this question.

The motion was agreed to and the bill was read the third time and passed.

REVISION OF THE STATUTES BILL.

THIRD READING POSTPONED.

Hon. Mr. FERGUSON moved that Bill (Q) "An Act respecting the Revision of the Statutes" be read the third time.

Hon. Mr. POWER—I was going to ask the hon. gentleman who leads the House to-day to be kind enough to let this bill stand over. I purpose moving an amendment which I was to show to the first minister, but he is not here to-day so that that cannot be done. I do not propose to oppose the bill and possibly my amendment might be accepted. I would, therefore, ask the hon. gentleman to allow the bill to stand over.

Hon. Mr. FERGUSON—Perhaps it would be well for the hon. gentleman to show me his amendment so that I may submit it to the first minister, because there is a probability that he may not be in the House to-morrow.

Hon. Mr. POWER—I shall do so.

Hon. Mr. FERGUSON—Moved that the order be discharged and that the bill be read the third time to-morrow.

The motion was agreed to.

PEARSON RELIEF BILL.

THE COMMITTEE'S THIRD REPORT WITHDRAWN.

The Order of the day being called, "Consideration of the third report of the Standing Committee on Divorce *re* Pearson Relief Bill," being called,

Hon. Mr. KIRCHHOFFER said: I hope that the motion which I intend to make to-day will not meet with opposition or question, but with the unanimous approval of the House. In reference to the remarks made by my hon. friend—because I hope still to be able to call him my friend—the junior member for Halifax, with regard to what occurred on Friday last—

Hon. Mr. POWER—I rise to a point of order; the hon. gentleman is out of order in referring to a previous debate.

Hon. Mr. KIRCHHOFFER—That is always the way. Every time I rise to make any remarks here, I seem to be fated to meet with objections. I hope, nevertheless, that the hon. gentleman will allow me to state what I wish to say on this subject. Perhaps it may not be out of place to mention that on Friday evening I was listening to a very interesting speech by the Finance Minister and I regretted very much that I had to leave it in *medias res*. Thanks to the wise action of the House in the matter of accommodation for Senators, I had an excellent seat and was sorry at the time to be obliged to leave; but when I returned I listened to speeches from the hon. gentleman from Monck, the junior member from Halifax and others, which were of almost as absorbing interest as the Finance Minister's. When my little motion came on and my hon. friend objected to it, having apparently donned his fighting clothes, I may have made some cursory remarks as to his conduct. I do not know whether his statement to-day was intended for an apology or not. If an apology, I accept it; if not, I forgive him all the same. We are told to forgive and forget—I do the best I can; I will forgive the hon. gentleman but I assure him I shall never forget him. In reference to this motion, I may say that in spite of the objection which the hon. gentleman has made, it is not the custom of the Divorce Committee to make reports at random. They listened very carefully to considerable evidence in this matter and heard addresses from counsel on both sides before bringing in their report, and if the hon. gentleman, instead of trying this case in the privacy of his own room or in the corridors of the House, had taken the trouble to come to the Divorce Committee and listen to the evidence, the Senate would be prepared to attach more importance to his remarks. I move that the order be discharged, the report presented to-day being substituted therefor.

The motion was agreed to.

WINNIPEG GREAT NORTHERN RAILWAY CO.'S BILL.

SECOND READING.

Hon. Mr. KIRCHHOFFER, moved the second reading of Bill (32) "An Act

respecting the Winnipeg Great Northern Railway Company."

Hon. Mr. POWER—I think the hon. gentlemen might explain this bill. We had a pretty lively discussion about the end of last session on a bill relating to this same company.

Hon. Mr. KIRCHHOFFER—I have not the bill with me, and I am not prepared just now to give an explanation, but the measure is one that will commend itself to the feeling of this House.

Hon. Mr. POWER—The hon. gentleman is not treating the House with sufficient respect or deference. An hon. member who has charge of a bill should be prepared to make a reasonable explanation of its provisions. It is a fact that we had a very lively discussion, just at the close of last session, with respect to another bill dealing with this same company and that, in fact, His Excellency the Governor General was obliged to postpone prorogation of Parliament for a couple of days just on account of the character of that discussion. When, therefore, it is now proposed, not at a critical period of the session it is true, to pass an important measure dealing with that same company, the House is entitled to have an explanation of the bill. As a rule, parliamentary bodies are rather serious, and they are glad of an opportunity of laughing at a joke, particularly when it comes from an Irishman. Notwithstanding the fact that the hon. gentleman from Brandon has given us a little joke and that he is of the proper extraction to make a joke, we are entitled to something more substantial and should really know what the bill proposes to do.

Hon. Mr. KIRCHHOFFER—This bill is merely to extend the time for the completion of the road. It appears that the time limited for the construction of that road expires in the present year, and the object of the bill is to extend the time for two years longer, and also to empower the company to build a branch line at or near Portage la Prairie, the work on the branch to be commenced within two and finished within five years.

The motion was agreed to and the bill was read the second time.

IMPERIAL LIFE ASSURANCE COMPANY OF CANADA BILL.

SECOND READING.

Hon. Mr. POWER moved the second reading of Bill (64) "An Act to incorporate the Imperial Life Assurance Company of Canada." He said: This is a bill to incorporate one of the old-fashioned insurance companies. There is to be no sharing of profits and no assessments. I understand that the bill has been carefully considered by the committee of the other House, and that certain amendments were made at the suggestion of the Finance Department, by which department the bill has been also carefully considered. If it should be found that there are still imperfections in the bill, they can be remedied by the committee to which it will be referred.

The motion was agreed to and the bill was read the second time.

SECOND READING.

Bill (36) "An Act to incorporate the South-shore Suburban Railway Company."—(Mr. Ogilvie.)

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, 17th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

A DREDGE FOR FRASER RIVER.

INQUIRY.

Hon. Mr. McINNES (B.C.) rose to

Call the attention of the Senate to the necessity of having a dredger exclusively for the Fraser River, in order to carry on necessary improvements to navigation at the sandheads and elsewhere, and ask if it is the intention of the government to put in the supplementary estimates a sum sufficient to build a first-class dredge for the purpose above named?

He said:—I may say for the information of the House that among the many great

and mighty rivers that we have in this Dominion, the Fraser stands only second. The lower Fraser, extending from the Gulf of Georgia to Yale, a distance of 125 miles, is open for navigation nearly the whole year. For the first 25 or 30 miles it admits of the largest ocean going steamers, including ships of Her Majesty's navy. The remaining distance up to Yale is used by stern wheel steamers of light draught. I may also say that nearly all the products of that exceedingly fertile valley are carried by boats of one description or another to the different markets of the province. On this river are situated over 30 large salmon canning establishments, principally near the mouth of the river, and those canning establishments, in buildings and in plant, represent a very large amount of capital indeed. In addition to the fishing industries of that river, I may also mention that we have a number of large saw-mills. I think I am within the mark when I say that one of those saw-mills is the largest in Canada, and probably the largest in the world. It is a mill capable of cutting over a quarter of a million feet of lumber in 24 hours. Many of those mills have been in the past, and are up to the present time, shipping lumber to foreign countries, such as Central and South America, the Hawaiian Islands, the Australasian Colonies, China and Japan. The vessels engaged in this foreign lumber trade are of the largest size and of the greatest draft. Hence the necessity of keeping the channel of that large and important river in first-class condition, in order to encourage and develop those industries that are at the present time only in their infancy. I may also call the attention of the government to the fact that some twenty or twenty-five years ago, owing to the enormous hydraulic mining that was going on at the head waters of the Sacramento River and its tributaries, the dirt carried down by the Sacramento River was such that it very materially interfered with the navigation of that river as far up as the city of Sacramento, and not only did it interfere with and almost ruin the navigation of the river, but it also very materially interfered with the inner portion of the harbour of San Francisco. Not only had it those effects, but it had also the effect of destroying a very large portion of the farming lands in the different valleys traversed by those rivers and their tributaries. The legisla-

ture of the state of California, in their wisdom, found it necessary to enact a law by which hydraulic mining should entirely cease on those rivers. Now, it may not be within the knowledge of a great many hon. gentlemen here to-day, that on the Fraser River, within the last few years, extensive hydraulic mining has been going on, and if the projected enormous schemes for hydraulicing along the Fraser River are carried out—and I believe they will be carried out—I have no doubt that the quantity of soil which will be washed down to the still waters of the Lower Fraser will be so great as to form, not only banks and bars, but actual islands, more particularly towards the mouth of the river, or around what is known as the sand head. While I do not for a moment apprehend that anything like the same evil effects will result from the hydraulic mining on the Upper Fraser River and its tributaries as took place on the Sacramento River, yet I am satisfied that it will very materially interfere with the free navigation of the lower portion of the Fraser River, where large ocean going steamers pass in and out now with perfect ease. The reason why I want a dredge specially built and exclusively used on that river is from the fact that we have only one government dredge in the province of British Columbia. That dredge is located at Victoria, although at one time, I think about ten or twelve years ago, I was partly instrumental in getting it up the Fraser River, the only time a dredge had ever been used there, to remove some sand bars, work which rendered the navigation of certain portion of the river very much better than it had been for many years previously. Dredges are not seaworthy boats as a general thing, and it is difficult and actually dangerous to venture to tow those dredges from Victoria to Fraser River, a distance of 75 miles. However, apart from that, the dredge at Victoria is engaged nearly the whole time in and around the harbour of Victoria itself. The government a number of years ago did the justice of building a snag boat that is used exclusively on the Fraser River to remove those huge trees that are very often carried down during the freshets in the months of July and August. Some of those trees, 100 to 150 feet in length by six and seven feet in diameter, with huge roots, very often lodge in the river and after being there a certain length of time become the nucleus upon which silt and other floating

material accumulate and eventually form an island. This snag boat has done, and is doing excellent service. Now, in order to protect and develop those industries to which I have just referred—the fishing, and more particularly the lumbering interest—I trust the government will place in the supplementary estimates a sufficient sum to build a first-class dredge. It will be a great benefit to the shipping interests of the port of New Westminster and to the people all along that river and to the province, and indirectly to the whole Dominion.

Hon. Mr. DEVER—I hope the hon. gentleman will be successful in getting this dredge. At the same time I would suggest that another one might be thrown in for the port of St. John. Apparently these dredges are good for national purposes, and as the port of St. John is going to be a national port for all Canada, it is fair that we should remind the government that a dredge would be very useful there. Inasmuch as they are going to build one for British Columbia, I hope that they will put one on the stocks for St. John. In that way we will be able to make the port of St. John one of the best ports in North America. We have abundance of water there and we have a fine river. I think, notwithstanding the greatness of the river described by my hon. friend in British Columbia, the navigable portion of our river is about double the navigable length of the Fraser—over 250 miles.

Hon. Mr. McINNES (B. C.)—Ours is more than that. There are navigable reaches on the Upper Fraser.

Hon. Mr. DEVER—It is 85 miles from St. John to Fredericton and 65 miles above that to Woodstock, and it is navigable I do not know how many miles above that to the province of Quebec. However, joking apart, I trust the government will be able to spend money on those dredges. I believe they are very useful property to own, because it is hardly to be expected that cities and localities can go to the expense of constructing dredges and keeping them over after the work is done. A government dredge or two might be useful in this Dominion because then they could be moved about from port to port wherever they might be required, and on navigable rivers. As

far as the port of St. John is concerned, I do not think we would require one for a considerable time.

Hon. Mr. MACDONALD (B.C.)—Order, that is not the question under discussion.

Hon. Mr. DEVER—I am aware of that, but I thought inasmuch as there was some analogy between the two requirements, I would remind the House that it would be well, if we were going to have dredges built in the country, that St. John should not be forgotten.

Hon. Mr. BOULTON—Does the hon. gentleman think that rivers that require to be dredged are fit to be national seaports?

Hon. Mr. DEVER—I did not talk about seaports.

Hon. Mr. McINNES (B.C.)—With regard to the navigation of the Fraser River, there is less difficulty in ocean going steamers of the largest draught entering that river than there is in entering the Mersey to reach the great shipping port of the world, Liverpool. We have, at extreme low tide, 10 feet of water and at flood tide 24 to 25 feet.

Hon. Mr. DEVER—While I was on my feet I did not talk about the River St. John being a seaport, but it might be used as a seaport just as well as the River Thames.

Hon. Mr. FERGUSON—I am sure I fully agree with the observations of the hon. gentleman from New Westminster as to the improvement of the navigation on the Fraser River. The question of building or purchasing a dredge exclusively for the Fraser River, in order to carry on the works of improvements at the sand heads or elsewhere, has received the attention of the government. The only bar that now seriously obstructs, as I am informed, is the channel of the Fraser River that lies at the mouth of the river opposite Garry Point, where the width at low water is about 3,600 feet. The last soundings, taken in October, 1895, show that since November, 1894, the crest of the bar has shoaled about two feet, there being at the present time only ten feet at dead low water. This will give at high water a depth of not less than $22\frac{1}{2}$ feet. This shoaling is the result of last year's freshets. The material of which the bar in question is formed is fine sand, composed largely of

minute particles of talcose slate. The ordinary dipper or elevator dredge cannot be operated successfully in such material, and the material removed to where it will not form other bars in the channel, for the reason that neither dipper nor scows can be made tight enough to retain it until the dumping ground is reached. Even if they could be made tight, the towing distance— $5\frac{1}{2}$ miles—to deep water outside the sand-heads, and the return against a strong current, would entail too great an expense to dredge with any degree of benefit. The only dredge, therefore, that will be of any use is that known as the hydraulic dredge, by which the fine material is pumped up and discharged on the shore by a long pipe out of harm's way. Although it is admitted that dredging by this sort of dredge would deepen the channel, it would not, it is asserted, permanently do so. There would be no assurance that the channel would not change in other directions to its great detriment. Engineers, therefore, are of the opinion that it would be unwise, in the interest of the Port of New Westminster, or of the other interests connected with the river, to attempt dredging except in conjunction with permanent works. There cannot be a doubt that if the works at the mouth of the river in the shape of dykes or dams are continued, a permanent deep channel will be the result, which result may be hastened by a hydraulic dredge. The engineers also add that these works, to be successful, must be continued with liberal yearly appropriations until completed. There cannot be a doubt, however, that an additional dredge would be of great service in British Columbia. The harbours of Nanaimo, Vancouver and Victoria require considerable improvement in the way of dredging, and as an hydraulic dredge could be utilized with advantage at Nanaimo, the engineer of the department is therefore of the opinion that that kind of dredge should be constructed instead of an ordinary dipper or elevator dredge. The cost of a dredge of that kind complete may be estimated at \$50,000. The question as to whether the dredge is to be built during the next fiscal year is one which can be better answered when the supplementary estimates are laid before Parliament.

Hon. Mr. McINNES (B.C.)—What engineer's report has the hon. gentleman referred to?

Hon. Mr. FERGUSON—I am reading from a statement furnished by the department based on the engineer's report.

Hon. Mr. McINNES (B.C.)—For a great number of years the Dominion Government have appropriated a small sum for the improvement of the navigation of the Fraser River, and how they have been improving it and are still continuing to improve it, is by erecting huge mattresses, long trees, probably 100 feet in length, and cross timbers and then putting brush and stone and sand upon them and sinking them on each side of the main channel. If that is continued and this hydraulic dredge that is spoken of is used, there can be no question but the channel can be made permanent. The current itself will keep it clear.

FREE TRADE.

DEBATE CONCLUDED.

The Order of the Day having been called—Resuming the adjourned debate on the motion of the Honourable Mr. Boulton:—

That, in the opinion of the Senate, a protective duty imposed in the United Kingdom, in any form, will reduce the purchasing power of its population, and to extent that it does so, it will impair its value as a market for our surplus products; that an increase of one hundred million dollars (£20,665,000) in the foreign trade of the United Kingdom, in 1895 over 1894, is an evidence of great national prosperity, while a decrease of sixteen million dollars in the foreign trade of Canada, during the past financial year, is an evidence that our national prosperity is not being maintained under protection.

That an excess of imports over exports in the British returns amounting to six hundred and fifty-two million dollars (£130,548,000), during 1895, at the same time reducing their national debt and producing a surplus revenue of twenty-five million dollars, is an evidence that the purchasing power of the people of the United Kingdom for the products of the world, under free trade, has been increased, and that the comforts of the population have been added to by the excess of imports, while a reduction in our exports of four million dollars, and a reduction in our imports of twelve million dollars, during the past financial year in Canada, with an increase in our debt of \$7,000,000, and a deficit in our revenue, is an evidence of a decrease in our purchasing power, and a reduction in the comforts of our population.

That a closer union of the British Empire can be more successfully effected by the adoption of the present commercial policy of the United Kingdom as a basis, insuring greater prosperity to its component parts, greater freedom of action, and greater power for good in its inherent strength, than by the imposition of any form of a protective tariff upon the necessities of life.

Hon. Mr. McCALLUM said: My hon. friend from Shell River and I cannot agree exactly as to what trade policy would be most beneficial to the country. He said the other day that the national policy of protection had a strong grasp on the people of this country. I agree with him in that, and long may it continue so until we get much more prosperous than we are to-day. This question that is called the national policy has been submitted to the people of this country on four different occasions already. The electors approve of it, the country has prospered under it, and I do not see why the policy should not take a strong grasp on the people. I remember when we had free trade in this country in the products of the fields, the forests, the mines and the sea with the United States. Our neighbours were allowed to come into this country and slaughter their goods in our markets, while they had a high tariff wall against us. That is what I call a jug-handled policy, or free trade on one side, and no corresponding benefit on the other. We urged on the government of that day that they should rearrange the tariff in order that they might assist the industries of the Dominion. What did we get? The duty had been 15 per cent, and they raised it to 17½ per cent indiscriminately, not looking to what was necessary to encourage the industries of the country. We appealed to the electors in 1878, and asked them to return to power a party which would assist the industries of the country. Out of that came what is called the national policy. When we met here after the election, I know that many of the opponents of the government said, "You can never arrange that tariff at all," but we have done so, and what has been accomplished for this country? Compare the condition of Canada to-day with what it was then. What have we done since then? We have completed the Intercolonial Railway, built the Canadian Pacific Railway, enlarged our harbours, deepened our rivers, and built a net-work of railways all over the Dominion, and the national policy has yielded almost enough to pay for it all—at least to pay the interest on the money borrowed, which is considerable.

Hon. Mr. BOULTON—You have to borrow more money this year because of it.

Hon. Mr. McCALLUM—Yes, and after all, the industry of the people of this country will pay for it and the people will not feel it. At that time when we had a revenue tariff, we paid much more per head on the money borrowed than we do to-day. You cannot travel through this country without seeing the benefits which have flowed from the national policy. When I see nearly every one prosperous in this country I am satisfied as to the condition of Canada. Of course there are some grumblers—there always will be. Since 1878 the opposition has offered us unrestricted reciprocity, then commercial union, then a revenue tariff and now last, but not least, they offer us free trade as they have it in England. Will the people of this country accept that? Certainly not. My hon. friend from Shell River and myself do not agree, and I do not believe we can ever agree on this question. I am sure that we cannot as long as he holds the opinion that the more you buy the better off you are. I know the balance of trade has been largely against us in this country in the past and I am sorry for it. It has been against us, but we have got value for it. We have built our railways. Take the iron alone used in the construction of the net work of railways laid in this country; the returns show that we imported more than we could utilize in the ordinary course, and while these great works were going on—building railways, digging harbours and deepening rivers—the industries of the people were not engaged to manufacture or produce to the extent that they otherwise would, but we have those works to-day. They are permanent improvements in this country, adding to the comforts of the people in every respect. I have a statement here which I have prepared to show the balance of trade. I believe the prosperity of the country depends a good deal on whether we sell more to the world than we buy, after supplying our own people. I admit that in some cases people export what they ought to consume. I know it has been said that in the British Islands they have often done so, but that is not the case in this country, because everyone in Canada is well fed and we have more comforts than any other people in the world. The table that I have prepared is as follows:—

1890—Imports	\$121,858,241
Exports	96,749,149
Balance against us.	25,109,092
1891—Imports	119,667,638
Exports	98,417,296
Balance against us.	21,250,842
1892—Imports	127,406,068
Exports	113,663,375
Balance against us.	13,742,693
1893—Imports	129,074,268
Exports	118,564,352
Balance against us.	10,509,916
1894—Imports	123,474,940
Exports	117,524,949
Balance against us.	5,949,991

You can see that it is coming down all the time.

Hon. Mr. BOULTON—You are getting poorer.

Hon. Mr. McCALLUM—No; we are getting richer. I want to see the day when we can produce and manufacture everything that is wanted in this Dominion and still have something to sell to the world, as we have done this last year, I am very glad to say. We have come down from \$21,000,000 in 1891 to \$10,000,000 in 1893.

Hon. Mr. POWER—That was our worst year.

Hon. Mr. McCALLUM—We have been getting better all the time. I have not given the last year yet. This year we have a balance in our favour of over \$2,500,000. We paid everybody, and we have a surplus of \$2,857,121 to the good, and the hon. gentleman calls that the worst year. Just as sure as the sun shines in the heavens to-day, so long as the importations exceed the exportations, we are getting poorer, unless, as I have shown, we have our railways and other permanent improvements to show for the balance against us. That is plain to me, and I think it must be plain to everyone. We are asked to change the policy, which is increasing our prosperity, for free trade. As I have shown, it may be applicable to England, because they are the bankers of the world. If the day should come, fifty years hence say, when we get population enough in this country to manufacture our

raw materials, of which we have plenty, so that we will have enough for ourselves and a large quantity to export, it may be necessary for us to make bargains with foreign countries to have an exchange of products. In the mother country they have given away everything without return and they cannot get reciprocity with anybody. We have tried to get reciprocity with the United States, but without success. Now we had better try to negotiate with the mother country. We may be able to make some arrangement with them that will be beneficial for Canada. Hon. gentlemen may say, and justly so, that we have added largely to our debt in building our great public works. That is true, but we could not do otherwise, because we had not the money to commence with, and as far as the duty is concerned that is paid under the national policy. To hear some people talk you would think we were crushed under a burden of debt, but what is the fact? The duty paid per capita is very little larger now than it was nearly 20 years ago, as the following table will show—

Year.	Duty per Capita.	Year.	Duty per Capita.
1868.....	\$2 61	1882.....	\$4 95
1869.....	2 43	1883.....	5 23
1870.....	2 74	1884.....	4 59
1871.....	3 37	1885.....	4 22
1872.....	3 61	1886.....	4 24
1873.....	3 55	1887.....	4 85
1874.....	3 77	1888.....	4 74
1875.....	3 95	1889.....	5 02
1876.....	3 25	1890.....	5 01
1877.....	3 12	1891.....	4 84
1878.....	3 13	1892.....	4 20
1879.....	3 12	1893.....	4 26
1880.....	3 25	1894.....	3 86
1881.....	4 26	1895.....	3 52

Hon. Mr. DEVER—That is the customs duty, but you should include the excise as well. That is a tax on the people equally with the customs and should be included in any comparison of this kind.

Hon. Mr. McCALLUM—I am speaking particularly with regard to the customs duties. If the hon. gentleman has any figures to give with regard to the excise I shall be glad to hear them.

Hon. Mr. BOULTON—Do these figures include the deficit in the revenue?

Hon. Mr. McCALLUM—I know that there have been many deficits from time to time in this country. Under the old Mac-

kenzie Government we had very large deficits, and I am sorry to say that they have not been altogether unknown of late.

Hon. Mr. BOULTON—That was because they took the duty off sugar.

Hon. Mr. McCALLUM—Undoubtedly the government reduced duties where there was no actual necessity for doing so. I maintain that a man can to-day live in comfort without paying a single cent towards the revenue. I am only speaking of this matter to show that the burdens we carry have not materially increased. I know that my hon. friend will say that we have added largely to the debt. That is true, but at the same time it does not cost us very much more to pay the interest than it did formerly, because the prosperity of the country has been so great and our credit has been so good that the prices realized for our bonds have enabled us to meet our payments on account of interest with as great ease as at confederation. Our debt at confederation was only \$75,728.64, but in the interval it should be borne in mind that the Federal Government has allowed a very large amount to the various provinces and assumed their respective debts. The debt thus assumed in the case of the provinces of Ontario and Quebec alone was \$10,500,000, which was of course added to the obligations of the Dominion as a whole; and in order to do justice to all it was found necessary to make similar adjustments in the case of the other provinces. I admit that the debt was increased, but not to a large extent in comparison with what we have done in developing the resources of Canada. We have dwelt on the past history of this country and what has been accomplished; let us now glance at the future. If we do our duty as a country—and I am satisfied that every Canadian will do his duty, for I believe the Canadians are equal, man for man, to any other people in the world—I predict, although I am not a prophet, that before a generation passes there will be no country under the sun where the average of intelligence and capabilities will be higher. Think what a great heritage is ours! So vast is it that we have flung open our doors to the people of every corner of the globe and have summoned them to come and help us to possess the land. To the south of our country we have a magnificent chain of inland fresh-water seas, extending for over

a thousand miles westward from the Atlantic Ocean. On one hand we have the Atlantic and on the other the Pacific. Well may Canadians boast that they “stand with their backs to the north pole and are here to stay,” that is to say, with the assistance of the mother country. The task before us is to devote the whole sum of our energies as a nation to the improvement of our resources and to assist our mother country to retain her position as the bulwark of liberty and the giver of life, light and civilization to the whole world.

The motion was declared lost on a division.

PEARSON RELIEF BILL.

MOTION.

Hon. Mr. McKINDSEY moved, that the fourth report of the Standing Committee on Divorce with reference to the Pearson Relief Bill be adopted.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, 18th March, 1896.

The SPEAKER took the chair at three o'clock.

Prayers and routine proceedings.

THE ROCKY MOUNTAIN RAILWAY AND COAL COMPANY'S BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (G) “An Act respecting The Rocky Mountain Railway and Coal Company,” with an amendment. He said:—I may explain that the amendment which has been proposed occurs in the third clause of the bill. The words “section 89 of the Railway Act shall not apply to the company” are struck out, as it might possibly lead to a conflict of legislation on the subject, and besides it is wholly unnecessary as the clause itself provides how the extension shall be made and for what time, and provides that 15 per cent of the capital

stock must be expended on the road within the time limited for the construction of the work. It was thought unnecessary that section 89 of the Railway Act should be repealed, because it might produce an element of uncertainty as to previous legislation. I see no objection to the amendment, and I therefore move that it be concurred in.

The motion was agreed to.

SOUTH SHORE SUBURBAN RAILWAY COMPANY'S BILL.

REPORTED FROM THE COMMITTEE.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (36) "An Act to incorporate the South Shore Suburban Railway Company," with amendments. He said:—This bill was of a somewhat comprehensive character, and I might add of a novel character, because it is at once a bridge bill, a land and railway bill, and to authorize connection with other railways as well as street railways. The bridge in question occurs within the jurisdiction of the Harbour Commissioners of Montreal. The first amendment occurs in the clause which refers to the location of their line of railway. The clause, as it stands, does not require the approval of the government, but as amended it does. The clause is amended by adding the words "subject to the approval of the Railway Committee of the Privy Council." The next amendment is clause 8, which refers to the question of tolls on the railway trains passing over the bridge. The clause provides that so soon as the bridge is completed and ready for traffic all railways and street railways shall have the right to use it, but in the latter part of the clause, when it comes to speak of the tariff rates, the words "or street railways" are left out and these words we have added to make the clause congruous. The third amendment occurs in clause 9; the language of the bill confines it to railway companies, whereas the whole scope of the bill is to make it apply to street railways as well. The word "railway" is struck out, so that it reads "all companies." The amendments are in the interest of the company, because they make that clear which before was uncertain, and at the same time are in the interests of the public.

THE DURATION OF PARLIAMENT.

INQUIRY :

Hon. Mr. BOULTON rose to ask

Is it the intention of the government to amend the Imperial Interpretation Act so as to define the meaning of the words "day of the return of the writs," in section 50 of the British North America Act, &c.

He said:—I was moved to give this notice because it has a very important bearing upon the legality of the legislation of Parliament a doubt having been apparently expressed as to what dates the return of the writs governs. It is unquestionably impressed upon hon. gentlemen's minds that Parliament cannot last for more than five years and that any legislation that is brought before Parliament after the lapse of five years' duration would be illegal. The only question is as to when Parliament was supposed to commence its five years and in consequence when it is supposed to terminate its five years. On reference to the Journals of the Senate, find the following proclamation calling for the general elections in 1891:—

Whereas we are desirous and resolved, as soon as may be, to meet our people of our Dominion of Canada, and to have their advice in Parliament, we do make known our royal will and pleasure to call a Parliament and to further declare that by the advice of our Privy Council for Canada, we have this day given orders for issuing our writs in due form for calling a Parliament in our said Dominion, which writs are to bear date on the 4th day of February instant, to be returnable on the 25th day of April next.

That is the proclamation of His Excellency the Governor General. It is quite evident that it was the intention of His Excellency the Governor General in Council to call Parliament for the 24th or 25th of April; that the return of the writs was intended to be upon that date. In consequence, however, of one of the constituencies—Algoma—being somewhat difficult to get at, the return of the writ for that constituency was delayed, I think until the 3rd of June, and there has been a doubt in the minds of some whether Parliament terminates upon the 24th of April or on the 3rd of June; that is, the date at which the writs were returnable by proclamation, or the date at which the last writ was actually returned. It is a very important question, because upon the decision rests the question of the legality of our legislation. Parliament, in pursuance

of this proclamation, was called by His Excellency to meet on the 29th April, 1891, and the Speaker was elected to preside over that Parliament, and the legislation commenced. Now, if it is the intention of the British North America Act to say that Parliament shall commence with the return of the writs,—that is, the last writ,—then Parliament was illegally called on the 29th April, and the Speaker was illegally elected on that day, and, consequently, all the legislation passed by this Parliament would also become illegal, in consequence of the Speaker never having been legally elected. The important legislation which has been passed during the last five years would be open to be contested by interested parties, in order to declare it null and void, if it was their interest to do so. Then, on the other hand, we have section 50 of the British North America Act which says:—

Every House of Commons shall continue for five years from the day of the returning of the writs for choosing the House (subject to be sooner dissolved by the Governor General) and no longer.

If we take it that section 50, which provides for the return of the writs and the choosing of the House being coincident with one another, that is selecting members who are going to constitute this Parliament, as being coincident with the day of the return of the writs, if we are going to take that as the 3rd June, 1891, then five years from that date to the 3rd June, 1896, would be the duration of Parliament. If, on the other hand, the 29th April is to be taken as the date under the meaning of the British North America Act at section 50, then, of course, parliament ceases to exist on the 24th April, 1896. Therefore any legislation which is brought before parliament after that date would be illegal. It is not desirable that we should allow the legislation of our parliament to rest under any doubt of any kind or description whether it shall be the legislation that was passed by parliament after its election in 1891 on the 29th of April or any legislation which may be brought into parliament after the 24th April, 1896.

Hon. Mr. BELLERSE.—Is it stated in the proclamation, as far as Algoma is concerned, that it will be the 3rd of June?

Hon. Mr. BOULTON.—The proclamation does not deal with that at all. That is

provided for by the statute in the Elections Act with regard to that district and three or four other districts to provide for peculiar circumstances. Unquestionably it was the intention of His Excellency and His Excellency's advisers that Parliament should be elected and the writs should be returnable for the purpose of going on with the business of Parliament on the 24th of April, and that the difficulty of getting the writs returnable in Algoma within that period is an entirely exceptional case for which legislation had to be provided in order to make that seat a legal seat. In fact it has been, I believe mooted that the seat which has been occupied by the present member that he has been illegally occupying it, that is a point foreign to the discussion, but I felt it desirable to make this inquiry in consequence of the important legislation that is now going through Parliament that it should be understood and known as to whether the Parliament was to sit after the 24th of April or to sit until the 3rd of June because it affects that legislation very materially. I have put my question in the form of a question asking whether it is the intention of the government to amend the Interpretation Act. Of course hon. gentlemen know that one way of dealing with questions of this kind when there is any doubt as to the meaning of a particular clause that an Interpretation Act may be passed declaring the intention of the statute. In this particular case the Interpretation Act should be passed by the Imperial Parliament because the proclamation dissolving Parliament and the proclamation calling Parliament together is a prerogative of the Crown. We should prepare the Act and secure the necessary legislation. It is His Excellency the Governor General's prerogative to say when Parliament shall be called and when Parliament shall be dissolved acting upon the advice of ministers on ordinary occasions. The members who constitute that Parliament are limited in their power to prolong the duration of that Parliament beyond the five years. At the termination of five years it becomes I should judge His Excellency's duty to dissolve Parliament in consequence of its having exceeded the limit of the five years for which that Parliament was elected and in the same way it becomes necessary if there is any doubt to declare what is meant by these words in the British North America Act. It

is very similar to the way that our powers are restricted as they were when we had a discussion one or two sessions ago with regard to the election of a deputy speaker. The appointment of the speaker of the Senate being a prerogative of the crown and it in that way differed from the speaker of the House of Commons who is elected by the members it became necessary to have an Imperial Act to justify this Parliament in taking away from the crown that prerogative in the appointment of a deputy speaker by the government. In the same way this is a prerogative of the crown acting on behalf of the people and it can only be by an Imperial Act of interpretation of the words mentioned in the question so as to define the date of the beginning of a parliament's legal existence. It is that way in which I look upon this question and I have felt myself that being interested in the legislation which is now going through the House from my connection with the province of Manitoba it would be desirable that we should not seek to pass any legislation that would throw any doubt upon the legality of its passing through Parliament which would only induce litigation hereafter.

Hon. Mr. LANDRY.—How could this government amend an Imperial Act?

Hon Mr. BOULTON—The government prepares an Act for the Imperial Parliament to pass in order to declare the interpretation. They would ask the Imperial Parliament to pass it. It would be quite sufficient for this Parliament to ask the Imperial Parliament to give that Act all the authority of the Crown to have it done.

Hon. Mr. BELLEROSE—I do not believe that it is at all necessary to have an amendment to the constitution as far as this question is concerned. It seems to me that it would be only hair splitting to have a doubt on that question as it stands before Parliament or the country to-day. According to that proclamation, and according to the statute, it seems to be quite evident that Parliament comes to an end on the 25th April. The law is precise: it says, "five years and no more." That is the statute, and you must take its exact words. The letter is there, it speaks for itself, it is clear, and it is not necessary to have recourse to an Interpretation Act. The

Crown says the writs shall be returned on or before the 25th April. True, the writ for Algoma came after, but that which is null cannot have any force. If it is null it must be made good, but it does not change the proclamation of the Governor, which fixes the 25th April as the date for the return of the writs. It seems to me so evident that, excepting we be, as many lawyers are to-day, hair-splitters so that they do not understand themselves very often, we cannot have any doubt. I would rather have a doubt on another question, a doubt as to whether, Parliament being in session and the five years being over, we could not continue and finish the session even after the five years are up. There might be a sound objection to take on that ground. Suppose war were declared between England and the United States, and we were in session and had no time to vote the money before the 25th April, would we say that because the five years are up this Parliament cannot continue in session? The first foundation of law is common sense, and I say that would not be common sense. I should think the session may be prolonged in order to finish the work before us, although I do not say it is clear of doubt. I would rather feel that there was such an objection than to say there was a doubt on the other point.

Hon. Mr. ADAMS—What is the meaning of the words "day of the return of the writs?" The return of the writs surely cannot mean three-fourths or one-half of them; it must surely be the writs which comprise the elections for the whole Dominion. The hon. gentleman who has raised this question has failed to mention one fact—that is, besides what he has read as the general proclamation, there is within the law a special provision made for Algoma, Chicoutimi Saguenay and Gaspé,—there are four constituencies with distinct provisions, which give the authority and power to the returning officer, in Algoma particularly, to make a return later than the others. He had from seven to fourteen days after he received the writ to put up his proclamation for the nominations. The district of Algoma, as I understand, extends 1,400 or 1,500 miles. The bill authorizes him, by the same legislation, to take from seven to fourteen days for the purpose of polling, and he can also take a certain

number of days subsequent to the date of polling, before he returns his writ to the Clerk of the Crown in Chancery. If that be so, if these special provisions are made for these four constituencies, can you say that the day of returning the writs means the 25th April, when some of the writs were not returned until the month of June? Can you divide it up? Therefore, it would seem to me, by virtue of the law as read by my hon. friend who asks this question, that the expiration of parliament would not occur until five years from the day the Algoma writ was returned.

Hon. Mr. McINNES (B. C.)—Was not that provision in the general Act repealed some years ago? I know the exception included not only Gaspé, and Chicoutimi, and Algoma, but also the whole of the province of British Columbia, with the exception of Cariboo, and I know at the last general elections in 1891, they were not exempt. They had to come under the general law and the nominations took place on a certain day and seven days afterwards the elections, and some of our constituencies in British Columbia are even larger than Algoma or Gaspé.

Hon. Mr. ADAMS—I remember the entrance of Mr. Macdonnell, the representative of Algoma, into the House of Commons and after he had taken his seat, in view of the railway facilities in Algoma, he made application and by representation to the then Minister of Justice, the late Sir John Thompson, special legislation was introduced since 1891 to remedy this very evil that existed. I think that that is an answer to my hon. friend's question. Let us return to the question; I may be entirely wrong but can we divide the writs up?

Hon. Mr. ANGERS—They were all returnable on the one day.

Hon. Mr. ADAMS—The Algoma writ was dated the same as the others, but the special Act gave the liberty to the returning officer to make his own proclamation for the nominations and polling, and his own proclamation for the return of the writ as provided by legislation. And that gave him until the third of June. As to calling Parliament together on the 29th April, or the appointment of Speaker, or legislation

since, it seems to me the return of the writs means all the writs, which were issued for the purpose of elections to the general Parliament of Canada.

Hon. Mr. BOULTON—How does the hon. gentleman reconcile that with section 50 of the British North American Act, where it says distinctly that every House of Commons shall continue for five years from the date of the return of the writs and no longer. The House must have been illegally called on the 29th April if the writs are to be taken as terminating on the 3rd June.

Hon. Mr. McINNES (B. C.)—I have not got the Act under my hand here, but I am satisfied that the hon. gentleman from Northumberland is labouring under a misapprehension. I am satisfied that the Act which he has referred to as being in the Statutes was repealed several years ago. Several years before the last general election took place, as I mentioned when I put the question to the hon. gentleman from Northumberland, there was special provision made for the whole of the constituencies in British Columbia and also Gaspé and Algoma, and it was left optional to the returning officer in each of those constituencies whether the time between the issuing of the proclamation and the nomination should be two weeks or four weeks, and it was also left optional whether it should be two weeks or four weeks between the nomination and the election. I know, as a matter of fact, that when the last election took place, notwithstanding that one of the districts in B.C. (Yale and Cariboo) covers an area of something like 200,000 square miles, the writs in British Columbia were made returnable on the 25th, and no exception was made, and there was no exception made in the cases of Algoma and Gaspé. If the hon. gentleman will look at the proclamation dissolving Parliament and calling the general election, which appeared first on the 4th February 1891, he will find there is no exception made in the case of those constituencies at all—the writs were made returnable on the 25th April,—and the section of the British North America Act to which the hon. gentleman who introduced the matter referred says the House of Commons shall continue for five years from the date

of the return of the writs, and no longer. The writs were made returnable on the 25th day of April, and it is as plain to me as noonday that, without a violation of the British North America Act, it is impossible for this Parliament to continue longer than 12 o'clock on the night of the 24th April next. There is further evidence: Parliament was called for the despatch of business on the 29th April, only four days after the writs were made returnable according to the proclamation, and I would ask the hon. gentleman, if he wants to extend the length of the previous Parliament to the 3rd June, what becomes of the intervening space of time, and of the legislation which was passed when Parliament was here in full session between the 29th April and the 3rd June of the same year? I think there can be only one view of the situation of the question, and I am a little surprised that the hon. gentleman who has brought up this question should throw doubt upon the words of the British North America Act. It is impossible to make the language clearer than it is at the present time. There was one remark made by the hon. gentleman from de Lanaudière; he wanted to know what, in the case of an emergency, Parliament would do in providing means to repel an invasion, or something of that nature. My answer to the hon. gentleman is this: that this parliament has no business to be in session now. This should be the first session of a new Parliament.

Hon. Mr. POIRIER—I think this question has been decided already and it is rather useless to raise it any more.

Hon. Mr. MACDONALD (B.C.)—By whom?

Hon. Mr. POIRIER—It has been decided by Parliament. If the duration of a Parliament commences only after the return of all the writs, how is it that the House met before the return of that last writ from Algoma? The House met on the 29th April. The British North America Act says very positively, section 50, "every House of Commons shall continue for five years from the day of the return of the writ for choosing the House (subject to be sooner dissolved by the Governor General and no longer." Therefore the moment the government of the day took it upon themselves to

call the House for the 29th April, 1891, it assumed that the House could not last more than to the 29th April, 1896. In fact it assumed that the return of the writs was not the return of the last writ, but the return of the writs generally. As, therefore, the House sat on the 29th April, 1891, Parliament cannot possibly last beyond the 29th of this next month. I feel very certain that this question has been already decided and that it cannot be that this parliament can last to any time in June, because in that case the duration of this Parliament would be longer than five years, which section 50 of the British North America Act positively forbids.

Hon. Mr. FERGUSON—The hon. member in part anticipated my answer—it is this, that the government do not intend to attempt any such thing as to amend the Imperial Act. We have no power to do anything of the kind, and I presume what the hon. member means is that we should move in the direction of having it amended by the Imperial Parliament. I do not think the occasion calls for any such action, because in the present difficulty it would be impossible to have such action taken in time to have any effect. I do not think it is necessary for me to enter into any discussion of the question. I am not a lawyer, but I think I can understand this much, if Parliament does not end on the 25th of April, but extends until the third of June, that involves that Parliament in 1891 had met illegally on the 29th April. I am not going to undertake to solve the question as to which of these views is the correct one. It may be that this Parliament did sit illegally in 1891—that view may prevail, and that this Parliament has a right to sit until the 3rd June. I can say this much for the government, that they will not advise the continuation of this Parliament one hour longer than it is legally entitled to transact the business of the country.

Hon. Mr. SCOTT—The Governor General in 1891 issued a proclamation under which writs of elections were to be sent out to the deputy returning officers. Those writs were to be returned on the 25th day of April, positively. There was no reservation whatever. On the 25th April it appeared that two writs had not been returned, one for Chicoutimi and Saugenay and the other for

Algoma. The Chicoutimi writ came in the day after Parliament had met—the 30th April. The Clerk of the Crown in Chancery made a return of that fact, that he had received a writ for the Parliament which was convened to meet on the 29th day of April. Before the House met, and after the writs had been issued, the Governor in Council issued a proclamation calling Parliament together for the 25th April. Shortly after that a new proclamation was issued, postponing the meeting of Parliament and calling it for the actual despatch of business on the 29th April. It would appear that the returning officer for Algoma, Mr. Plummer, of Sault Ste. Marie, received the writ of election during the winter season, and as in former years they had been in the habit of holding the election in the summer season only, when people could travel by navigation, he took it upon himself to name a different day for the election, after the opening of navigation, without any authority whatever. He named a day in the month of May—he might as well have named August, or September, or October, or November, and according to the interpretation of some hon. gentlemen, the life of this Parliament depended upon the caprice of the returning officer of the district of Algoma. He had no authority whatever to postpone the time for the return of the writs; but he had been in the habit of doing it, and believing that he had the privilege, he took it upon himself, without any direction, to return the writ after the time named in the proclamation. If the view of those gentlemen who say that the 3rd June is the limit of the duration of Parliament be correct, then the act of a deputy returning officer overrides the proclamation of the Crown. The Crown has the power to convene Parliament; the Crown directed that Parliament be called together on the 25th April; it directed the writs to be returned on the 25th April. If a returning officer disregarded his instruction and acted from mere caprice, without any legal authority, would that give life to parliament? Such a contention would be absurd, because, if that be the case, Mr. Plummer, by holding the election in July or August, would have extended Parliament to that time. The writ was made returnable at the ordinary time, but he considered it inconvenient to hold the election just then, and therefore deferred it, partly, no doubt, because on former occasions he had been permitted to

do so. But in 1891, there was no reservation whatever in the case of Algoma. There had, in former years, been an exception made in the case of certain writs, namely, those for Gaspé, Chicoutimi, Algoma and, I believe, the whole of British Columbia—in which places the return of writs was fixed for a later period; but, in 1891, that was departed from, and the Crown issued its proclamation that all the writs should be returned on the 25th April. That, I think, disposes of the question very effectively.

SECOND READINGS.

Bill (56) "An Act respecting the Montreal Island Belt Line Railway Company."—(Mr. Bellerose.)

Bill (60) "An Act respecting the Thousand Islands Railway Company."—(Mr. McMillan.)

Bill (50) "An Act respecting the South-western Railway Company and the St. Lawrence and Adirondack Railway Company."—(Mr. Bellerose.)

CANADIAN PEAT FUEL CO.'S BILL.

SECOND READING.

Hon. Mr. McKINDSEY moved the second reading of Bill (62) "An Act to incorporate The Canadian Peat Fuel Company." He said: The object of this bill is to grant incorporation to a company to enable it to purchase peat bogs in the county of Welland with a view of manufacturing peat, largely for fuel purposes. It is also proposed to give power to construct a short railway connecting these peat beds with the Grand Trunk Railway and Michigan Central systems of railway. This railway is only about six miles long. I do not think there is anything that requires further explanation.

The motion was agreed and the bill was read the second time.

CANADIAN HISTORICAL EXHIBITION BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (F) "An Act respecting the Canadian Historical Exhibition."

(In the Committee.)

On the preamble.

Hon. Mr. MACDONALD (B.C.)—I do not know whether the government have given very much attention to this important bill. The hon. gentleman from Hamilton is trying to obtain the assent of this House to a measure which might shake the foundations of empires. We are asked to fix by Act of Parliament the date of the discovery of a great continent like America. I suppose the promoters of this bill are fully persuaded that John Cabot discovered Cape Breton, although for hundreds of years this has been open to doubt. I had the pleasure some years ago of the acquaintance of a famous arctic explorer, a good geographer and nautical historian, with whom I used to discuss the voyages of Cabot, Columbus, Cartier, Davis, Hudson and Frobisher. There being four Cabots, the father and three sons, has often led to uncertainties as to whether the father John, or his son Sebastian, was the first discoverer of part of North America. I think, however, that the weight of evidence shows that the father, John Cabot, discovered Cape Breton—landed, and planted, side by side, the flags of Saint George and Saint Mark. The planting of the latter flag is accounted for by his being Venetian by birth, and an Englishman by adoption. This first voyage was made in one small vessel, called the "Mathew of Bristol" in the wonderfully short time of three months. Henry the VII. reigned at this time, an entry was found in his privy purse accounts to this effect—"to him that found the new Ile £10." Money must have been of great value in those days, when so insignificant a sum was given for so great a discovery. In 1498 another expedition was organized to perfect the previous discovery, for which the King, Henry VII., gave five ships, provisioned and fitted out by the nation. John Cabot was in command, his son Sebastian being with him. The elder Cabot never returned from this voyage. It is not known whether he died a natural death, or was murdered. The son Sebastian, however, returned, and was very reticent as to his father's death. He took all the credit for the discovery, Labrador being the point, or landfall, on the second voyage. This same Sebastian, not being appreciated in England during the reign of Henry VIII.,

entered the service of Ferdinand of Spain, was made Grand Pilot of Spain with a large salary. As an old man, he had hallucinations of divine inspiration about the compass and navigation. On the first voyage Cabot saw no human beings in Cape Breton. On the second voyage people were found clothed in skins. All these voyages were made in the hope of finding a short route to the *ultima thule* of early navigators—ancient Cathay, now China—which was supposed to flow with gold, precious stones, and wealth of all kinds. On the discovery of America, early navigators thought it a part of Asia, not far from Cathay. These discoveries were not valued by England; she lost the continent by careless abandonment, and had to conquer it afterwards from Portugal, Spain and France. And here we are at this day, Britishers under one glorious flag, and long may we continue so.

Hon. Mr. MACINNES (Burlington)—Of course the remarks of my hon. friend from Victoria are very interesting, but I do not see exactly what they have to do with this bill. We all know that Columbus was the first discoverer, and that he landed in 1492 on the island of San Salvador in the Bahamas. It may not be generally known, however, that Columbus never reached the main land of America. Cabot afterwards, emulating Columbus in his voyages of discovery, sailed northward to the coasts of Labrador and Newfoundland.

Hon. Mr. DEBOUCHERVILLE—There are no proofs of Cabot's discovery.

Hon. Mr. MACINNES (Burlington)—It is perfectly true, as the hon. gentleman has stated, that Cabot, after discovering Labrador and Newfoundland, returned to England, and then made a second voyage with his three sons, coasting along the shores of Newfoundland and Cape Breton, going as far north as Hudson Straits. There he was turned back by the ice. His intention was, as the hon. gentleman has stated, to try and reach China or Cathay. At all events, there is nothing in this bill contrary to what is stated in authentic history.

Hon. Mr. DEBOUCHERVILLE—What is the authority from which the hon. gentleman quotes?

Hon. Mr. MACINNES (Burlington)—McGregor, the historian of British North America.

Hon. Mr. DEBOUCHERVILLE—McGregor I believe has written a work with regard to discoveries in America generally, but it does not, as I understand, deal particularly with Cabot's voyages. Now there are other writers who have inquired most minutely into the records of history for the purpose of ascertaining everything possible with regard to Cabot. I might mention Dr. Bourinot of the House of Commons, Dr. Dionne, the Librarian of the province of Quebec, and there is another writer whose name I forget at the moment. These three agree that there are no proofs of Cabot having actually landed. There is only a chart of Cape Breton issued by one of his sons, many years, I think, after the death of the elder Cabot, and Dr. Dionne's work declares this chart, if I remember rightly, to be a false one. We are therefore called upon to declare something about which there is considerable doubt; and in the face of the opinion of such writers as Dr. Bourinot and Dr. Dionne, it seems to me that further inquiry might profitably be made.

Hon. Mr. POWER—I do not understand how the hon. gentleman who has just sat down has read Dr. Bourinot's treatise on this subject, because Bourinot claims that Cabot discovered Cape Breton. Dr. Dawson, the Queen's Printer, agrees with Dr. Bourinot on this point, and there are other authorities who take the same view,—for example, the Rev. Moses Harvey, of Newfoundland, who has also written a paper recently upon this subject. I would suggest to the hon. gentleman who has the bill in charge that as there is some question as to the exact point at which Cabot landed, and as Parliament ought not to undertake to pronounce on what is still a moot question of this kind, it would be better to so amend the preamble of the bill as to withdraw from it any positive statement as to the place of landing. I may say further that this preamble reads to me very much like an advertisement or something of that sort. Its language is not such as we are accustomed to see in the preambles of solemn statutes enacted by this Parliament, and I suggest that, as is the rule, we leave the preamble

open for discussion until the rest of the bill has been considered. After the committee rises the hon. gentleman can go over the preamble and change its wording a little, and in the meantime we can go on with the clauses of the bill and get something done.

Hon. Mr. MACINNES (Burlington)—I am perfectly willing to agree to the suggestion of the senior member for Halifax.

On clause 3,

Hon. Mr. POWER—This is supposed to be an act respecting the Canadian Historical Exhibition, but this clause seems to make it rather the Toronto Exhibition. The commissioners who are to be appointed appear to be largely made up of gentlemen residing in Toronto; but the other provinces of the Dominion, including the province where Cabot is supposed to have landed, have no word to say about the matter. I think this may be fairly characterized as churlish. No opportunity is given to any other province than Ontario, or to any other city than Toronto to have anything to say in the conduct of this exhibition, and I think the hon. gentlemen might be a little more generous and give the other provinces a chance.

Hon. Mr. MACINNES (Burlington)—The Government of Ontario have offered the free use of the Parliament Buildings for the purposes of the exhibition, and the universities have done likewise. I think this idea originated with the residents of Toronto, which, perhaps, may be given as a reason for the wording of this clause.

Hon. Mr. POWER—If the hon. gentleman will change the title of the bill and call it the Toronto Exhibition Act, I have no objection to the legislation as proposed, but he wants to let Toronto run the whole business and yet call the Exhibition Canadian.

Hon. Mr. SULLIVAN—This is a measure which ought not to be viewed with a jealous spirit. The fact is that for some time past Toronto has been making great efforts to induce the British Association for the Advancement of Science to hold one of their annual meetings at that place, and wishing to add all the eclat which is possible to so important an event, they were anxious to hold an exhibition of the kind contem-

plated by this bill. It will cost the residents of Toronto a great deal of money, not to mention time and labour. The promoters of this enterprise are principally scientific men who are perfectly willing that the other provinces should co-operate, and inasmuch as all the historical societies are affiliated, there should be no difficulty on the point referred to by the senior member from Halifax. Satisfactory evidence can be given, I think, of the desire of the promoters of this measure to make the exhibition as completely national as possible, and thoroughly Canadian. The question with regard to the point of landing may be left in abeyance for the present, but I hope that the Senate will view the whole matter in the spirit in which I think it ought to be dealt with, and that it may be found possible to give effect to the desire of these learned and patriotic citizens to make the visit of the British Association as memorable as possible. They are promised considerable aid by the province of Ontario—probably \$20,000, in addition to the free use of the government buildings. All these men whose names are cited are principals of universities, or are connected with public institutions in some way or other; and I trust that under all the circumstances, and with such modifications as may be deemed necessary, the Senate will give its consent to the measure. I admit that, when I first read the preamble, it had, to my mind, a somewhat provincial style, but when I came to inquire into the facts I concluded it would be advisable to view the measure as liberally as possible.

Hon. Mr. MACINNES (Burlington)—I may mention that the Canadian Institute of Toronto has extended an invitation to the British Association to visit that place during the coming year and their invitation has been accepted. Several universities and colleges have been asked to join in the work connected with this exhibition. The names of the institutions to which invitations have been sent are the University College of Dalhousie, the Nova Scotia Historical Society, the University of New Brunswick, and King's College, N.B. All these institutions have cordially accepted the invitation extended to them.

Hon. Mr. POWER—The clause might be amended by adding these names to the list.

Hon. Mr. MACINNES (Burlington)—I have no objection to doing so.

Hon. Mr. WOOD—I should like to call the attention of the promoter of the bill to the fact that there are two colleges in the constituency from which I come, one at Sackville and one at Memramcook. I would like to ask whether invitations have been extended to them.

Hon. Mr. MASSON—Has the hon. gentleman a list of those to whom invitations have been sent?

Hon. Mr. FERGUSON—Acadia College, Nova Scotia, should be added.

Hon. Mr. BOULTON—Is the University of Manitoba included?

Hon. Mr. MACINNES (Burlington)—It might be well to strike out the list forming part of clause three and include it in the preamble.

Hon. Mr. MASSON—As the hon. gentleman does not appear to be very well prepared to say who have been invited, and examples have been given of the names of institutions which have been omitted, I would suggest that the committee rise and give the hon. gentleman who has charge of the bill an opportunity of including the names which may be suggested to him.

Hon. Mr. MACINNES (Burlington)—There is no objection to adding any names which may be suggested in the committee, but we did not like to put in the names of institutions with which communication had not been had. I have given the names of the universities from whom we have received assurances of willingness to co-operate, but I am quite agreeable to adding any names which may be suggested here to-day.

Hon. Mr. WOOD—Reading the clause again, I observe that it contains the words "consist of the following and such other members of the association as they may from time to time add to their number." That I think, as the hon. gentleman says, would include any of these colleges which may hereafter signify their intention of taking part.

Hon. Mr. ALMON—King's College was founded by King George III and is certainly

the oldest in the British possessions. It should therefore be mentioned first.

The CHAIRMAN—I would call the attention of the hon. gentleman who has charge of the bill to the fact that by striking out the names appended to this clause they cease to be invested with authority under the Act. If inserted in the preamble they will occupy a very different position. Perhaps he has considered this point.

Hon. Mr. POWER—If the hon. gentleman will now add the names which he read out a little while ago these last words cited by the hon. gentleman from Westmoreland will cover any which it may be desired to add in the future. I also concur in the suggestion of my colleague that the universities should be mentioned in the order of seniority. The Nova Scotia Historical Society is considerably older, I should imagine, than the Historical Society of Victoria, B. C.

Hon. Mr. MACINNES (Burlington)—It would be better to leave the names in the clause for the present.

The SPEAKER—I believe that the suggestion of my hon. friend on the other side of the House was a very good one. I do not think we are quite prepared to deal with the matter to-day, for evidently there are many details which should be taken into consideration and more than one suggestion has been made which deserves careful attention. I believe, for example, that we are not in a position to-day to deal with the suggestion made by the senior member for Halifax. If the hon. the mover of the bill will accept the suggestion of the hon. member from Mille Isles, the committee might rise, report progress and ask leave to sit again.

Hon. Mr. MASSON—By adding names without due reflection we may omit some of the more important. That is one of the reasons why I suggest that the committee rise and report progress. We may be including the names of institutions who do not care to co-operate.

Hon. Mr. SULLIVAN—I do not think it is necessary that the committee should rise. The objection has simply been made that the language of the bill is not general enough. If we add the names I think that is all that is necessary. If they do not

choose to affiliate, no harm can be done. The institutions whose names are included will be notified and if they do not consent to act that ends it.

Hon. Mr. MASSON—Then the hon. gentleman thinks it is proper to add the names of institutions who have not been asked to co-operate and give them the right to vote?

Hon. Mr. SULLIVAN—If they choose to accept, well and good; if not, what harm is done?

Hon. Mr. BOULTON—If the hon. gentleman who has charge of the bill would take two or three days for consideration, he would derive a great deal of benefit therefrom. So far as the University of Manitoba is concerned, I think I can safely say that, if invited, it will accept, but we have not time to communicate with them.

Hon. Mr. MASSON—There is the University of Ottawa; it would have been easy to communicate with them.

Hon. Mr. MACINNES (Burlington)—I have not the slightest objection to devoting more consideration to this feature of the bill, but I think we might go on with some of the other clauses.

Hon. Mr. POWER—We are striking snags all the time; the committee had better report.

Hon. Mr. FERGUSON—I would suggest with regard to this clause that it be allowed to stand for the present, and that, after the committee rises, members of the House may make suggestions as they feel inclined, and the hon. gentleman who has charge of the bill can make out a complete list of the institutions whose names should be included.

Hon. Mr. MACINNES (Burlington)—There cannot be the slightest objection to adding these names, but apart from that altogether I do not see why we should not go on with the other clauses of the bill.

The SPEAKER—The objection is that no one is prepared to make suggestions at the present moment. We may include some of the less important institutions, but by proceeding further at the present moment we expose ourselves to the possibility of omitting some of the larger universities or

colleges. For this reason I concur in the suggestion made by my hon. friend that we should now rise and report progress.

Hon. Mr. POWER—The hon. gentleman who is in charge of the bill will really further his own end by accepting the suggestion made by his honour the Speaker. The hon. gentleman must see that the committee just now are in a critical mood, and I do not think he will reach the end which he desires any quicker by persisting in dealing with the bill now. The wiser way is to accept the suggestion and report progress and when we meet again we shall probably get through with much greater rapidity.

Hon. Mr. MACINNES (Burlington)—I am quite willing, in deference to views of the hon. member from Halifax and his Honour the Speaker, to let the committee rise and report progress.

Hon. Mr. VIDAL, from the committee, reported that they had made some progress with the bill.

The Senate than adjourned.

THE SENATE.

Ottawa, Thursday, 19th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE LIEUTENANT-GOVERNOR OF THE NORTH-WEST TERRITORIES.

INQUIRY WITHDRAWN.

The notice of inquiry being called,

By the Hon. Mr. Perley:—

That he will ask the government, about what time that visit of Lieutenant-Governor Mackintosh, of the North-west Territories, will be completed in Ottawa?

And, if his visit has been enjoyable?

Does the Government think it was right or fair to the North-west Territories to allow the Lieutenant-Governor so long a leave of absence?

Will his travelling expenses to Ottawa and return be a charge against the country?

Does he receive five dollars a day as an extra allowance during his absence?

Does his private secretary, who is his son, get fifty dollars per month during his visit in Ottawa, for the past three months?

Also, could not the North-west Territories exhibition accounts be made up at Regina, had the Lieutenant-Governor been there?

Also, how much did it cost, including salary, for Mr. Pope, the accountant, to come to Ottawa to make up the exhibition accounts?

How much do the unpaid accounts amount to?

About what date will his honour the Lieutenant-Governor of the North-west Territories go back to Regina again?

Hon. Mr. PERLEY said:—I can assure this House that it is with no pleasure, but rather with extreme regret, that I have placed on the order paper notices of the character of the one which appears in my name to-day. I might add that the people of the North-west have no objection whatever to their Lieutenant Governor, but rather through their representatives submitted and encouraged and recommended his appointment. When we did that we thought that he would feel it an honour as well as feel himself in duty bound to reside, at least the greater portion of the year, in the North-west, but now he has removed his family away from there and has been living in Ottawa for three months. We think that is a longer time than should be allowed that gentleman for a visit. For that reason we think that the government are hardly doing right retaining him here and keeping him away from his duties. Since I placed this notice on the order paper, I have learned, not from any official source whatever but from rumour, that his Honour the Lieutenant Governor will return to the North-west Territories the early part of next week. That being so, my purpose is served and I do not wish to say or do anything that would be unkind. Inasmuch as he is going back, I am perfectly satisfied and withdraw the inquiry which appears on the paper under my name to-day. I hope in the future that I shall have no occasion to give such notices but that his Honour the Lieutenant Governor will feel it an honour, as well as a duty, to show the people of the North-west Territories what they are justly entitled to expect, that he will discharge all the duties of his honourable position. I have no further remark to make, nor do I desire to put the question or have it answered. I therefore ask leave to withdraw the notice.

The notice was withdrawn.

Hon. Mr. BOULTON—I did not know that the hon. member for Assiniboia intended to put this inquiry on the notice paper for the purpose of advertising this question regarding Lieutenant-Governor Mackintosh, and then to promptly withdraw it. I was in sympathy with the hon. member from Assiniboia in bringing this question before the House at the commencement of the session, when the subject of the liabilities in connection with the World's Fair was before the country, and its connection with the Lieutenant-Governor—

Hon. Mr. McKAY—I rise to a question of order. There is no motion before the House. The hon. gentleman's motion is withdrawn, and there is nothing before the House.

Hon. Mr. BOULTON—I rose in my place as soon as I had an opportunity. If the hon. gentleman says I am out of order I am willing to sit down, but I wish to rise on behalf of one who is not able to defend himself. If I am out of order I will move the adjournment of the House for the purpose of making a few remarks on behalf of an officer of the country who is not able to defend himself. The hon. gentleman from Assiniboia has put on the paper some extraordinary questions. I am quite willing to accord to the member for Assiniboia all the interest that he is entitled to display in so far as he is from the North-west Territories and that he is a representative of the North-west Territories in the Senate, but still I think there is something due to the dignity of the Senate and something that is due to the dignity of the office of Lieutenant Governor, that questions of this kind should not be put in this form and when given to the public withdrawn without an opportunity for any defence on the part of the Lieutenant-Governor. The Lieutenant-Governor had placed in his hands a sum of money for the purpose of promoting and insuring the success of an Industrial Fair in the North-west Territories, and there are a number of liabilities in connection with that Fair still unpaid, and whether his presence here in Ottawa is for the purpose of seeing the Government with regard to the payment of those liabilities or whether it is in connection with the local affairs of the Territories, or what, I am not prepared to say, but I think,

after the question was put at the commencement of the session, that the hon. member for Assiniboia should have been satisfied that having drawn the attention of the government to it, and that they were seized of all the facts that he desired should be brought before the country, he should not pursue the matter in a spirit which partakes of persecution of a public man who is not in a position to defend himself. Fair play is a jewel. I have no interest in defending the Lieutenant Governor, but I do take an interest in maintaining the official dignity of Parliament and the representatives of Parliament and the appointees of the Crown, and for that reason I did not wish to let this opportunity pass without criticising the action of the hon. member from Assiniboia in regard to this matter. I am aware that the hon. member was a representative for the country at the World's Fair and that he has taken an active interest in questions of that kind, that he had the disbursement of public moneys for the purpose of making the best use of them and displaying before that great fair the opportunities which Canada possessed, and that he is a very fit man to criticise the acts of the Lieutenant-Governor, so far as his management of the territorial fair is concerned, in consequence of his connection with the World's Fair, but I think his criticism having once been brought before Parliament, that it should have ceased there, unless there was some opportunity given to the Lieutenant-Governor to defend himself from the imputations that these questions are intended to cast upon him, and which by the withdrawal of the hon. member's questions he is debarred from.

Hon. Mr. PERLEY—I might say that it is in no spirit of persecution whatever that I have asked this question. I asked similar questions in the early part of the session, because I felt it my duty, as a representative from the Canadian North-west in this Parliament, to do so. It is quite true that I was a commissioner at the World's Fair, but if I was, there was no after clap, there were no bills unpaid. I discharged my duties in connection with that office in a manner creditable to myself and in a manner satisfactory to the government who appointed me. So far as that is concerned, I have nothing more to say. The hon. gentleman cast no reflection on my conduct in any

public position that I occupied, and I hold that a public man should discharge his duties so that there will be no question as to whether they have been properly performed. Nobody could rise with greater reluctance to say one word reflecting on the Lieutenant Governor of the North-West Territories than myself. In fact, in his personal capacity I have never said a word against him, but in his public capacity he is as open to criticism as I or any other public man. I asked questions in the early part of the session, and received vague and indefinite answers to each one of them, and I leave it the country to say whether I, who was one of the men who recommended the appointment of Lieutenant Governor Mackintosh, have not a right to expect him to discharge the duties of that office properly. You do not find the governors of the other provinces hanging around the city of Ottawa and neglecting their duty. I can mention the names of people who have suffered inconvenience by reason of his absence from the North-west. I am willing to have his Honour come down and enjoy a visit to Ottawa, but when he has been here three months he has been here too long. He has moved his family down here. The Government of Canada have built an expensive house for the Lieutenant-Governor and to-day that house is exposed to the risks and misfortunes that might befall it by hired people being there. When I asked the questions which appeared on the notice paper, I should have thought the hon. gentleman would not consider it necessary to defend the Lieutenant Governor, because I left unasked the questions that were of vital importance. I treated the Lieutenant Governor with a great deal more courtesy and respect than the gentleman who desired me to have his name brought before this Assembly in a different way. Have I ever been told the amount of the arrears of debt? No. I have never yet had the answer, and now, not only has the Governor come down here in place of being at his post of duty, where he should have been, but the Government have to bring the auditor down to fix the accounts up when they should have been arranged in Regina. I do not wish in any unfair or unkind manner to make reference to his Honour. When I heard that he was returning to the North-West I was satisfied, but I had no intimation from any member

of the Government that he was going back, and I now, in kindness to him, accept a rumour that I heard upon the streets and have withdrawn the question.

Hon. Mr. OGILVIE—It is a good thing for the credit of the Senate and for the credit of the country that these questions have been withdrawn. It is not so much in the information sought as in the tone of the questions that the great fault lies. I cannot see why the hon. member from Assinaboia should be so particularly anxious, in the interest of the country and of the North-west Territories especially, to learn if the visit of the Lieutenant-Governor has been enjoyable. I should like to know if that is a pertinent question. There is no doubt in my mind that the intention of the hon. gentleman, when he placed the notice on the paper, was to cast ridicule on Mr. Mackintosh. I have no particular interest in the Lieutenant-Governor any more than I have in any citizen of Canada, but I have known him for a great number of years and I know that he has been a hard-working man. He was acknowledged, when mayor of Ottawa, to be one of the most hard-working, useful and popular mayors they have ever had in Ottawa, and he bore the same reputation as a member of Parliament when he was a member of the House of Commons. I cannot see how he has deteriorated so much as the hon. gentleman says he has. The hon. member says that other Lieutenant-Governors do not come to Ottawa. We know that other Lieutenant-Governors have been in Ottawa and have been away from the provinces which they govern for one, two and three months, and even longer, and not a word was said about it; but the Lieutenant-Governor of the North-west Territories must be at the dictation of the hon. gentleman from Assiniboia. One would suppose, to hear the hon. gentleman speak, that he had appointed the Lieutenant-Governor himself—had recommended him and done this for him and that for him. I would ask the hon. gentleman if he remembers when that gentleman went out, in 1887, and worked very hard to get him elected the first time he was returned to Ottawa? He does not show a great deal of gratitude, to say the least of it, for kindnesses of that sort. I do not often agree with the hon. gentleman from Shell River, but I concur in his opinion that the hon. gentleman's attacks on the Lieutenant Gov-

error look like persecution more than anything else and there are very few fair minded men but will look upon it in the same light. It does not say much for the credit or courage of anybody to stand up and ask such questions about a man whose position is such that he dare not answer them, even in the papers. It is unfair and unwise to pursue such a course and I am very sorry that this kind of thing has been started in the Senate at all. The Lieutenant Governor for the North-west Territories has his faults, as we all have, but he is a hard working, able, intelligent and useful man in any country. Every person who has known him will agree that what I say is correct, and I was sorry, and more than sorry, to see those questions placed on the paper. If it was really the hon. gentleman's desire to get information, there was a much easier way to get it than by putting questions on the order paper and circulating them in the newspapers. There is always an easier way than that—if kindness is the inspiring spirit, which I do not believe is the case now. I am sorry that anything has been said on the subject, but I hope nothing more will be said about it, for I think it is unfair to strike a man who cannot defend himself.

Hon. Mr. POWER.—It is to be regretted that the hon. member from Alma did not come to the conclusion that nothing more should be said on this subject before he stood up. The hon. member from Assinaboia may be right or wrong in the general course which he has adopted with respect to the Lieutenant Governor of the North-west Territories, but his course to-day was perfectly fair and satisfactory. He declined to go into the question and preferred to withdraw the notice and so nothing was said about it.

Hon. Mr. OGILVIE.—After he had spoken.

Hon. Mr. POWER.—No, the hon. gentleman did not go into the matter of his questions at all. While my feelings towards the Lieutenant-Governor of the North-west Territories are of the most friendly character, I think that that gentleman can very well say of his friends in the Senate to-day "save me from my friends."

Hon. Mr. OGILVIE.—That is a matter of opinion.

Hon. Mr. FERGUSON—I congratulate my hon. friend from Assiniboia on having dropped these inquiries which have been placed on the Order paper. I am sorry that they were placed there in the form in which they appear. The hon. gentleman had a perfect right to ask for information, and since the matter has come up for discussion I think it is but right that the information, which has been inquired for, should be given to the House. Before dealing with the question of the territorial exhibition, I may be permitted to read some extracts from a letter from Lieutenant-Governor Mackintosh, for we must remember that now, as the questions have been on the notice paper, they become a record, and although the hon. gentleman deserves credit for having allowed them to drop, yet as they are a public record it is but right that they should be dealt with. A letter written to-day by Mr. Mackintosh to my hon. friend the Premier, has been placed in my hands since I came into the Senate, and I have permission to read some parts of it to the House:

I came to Ottawa at the request of the Minister of the Interior, pursuant to a telegram received from him, asking me to be here to discuss the estimates with him, Mr. Haultain not being ready to come east. It is unnecessary for me to point out that for five weeks after the meeting of Parliament little business was done, and consequently, upon the so-called "crisis," it was impossible to do anything definite. Meanwhile, a misunderstanding had arisen with reference to my "reservation" of the amended school ordinance passed by the Assembly, and, feeling that my action thereon had been misconstrued by the Council, or rather by the Department of Justice, I deemed it expedient to confer with the legal advisers of the Government, also preparing a reply, and, I think, proving that I was actuated by high public motives in taking the course I did with reference to the ordinance.

Added to this, I found it expedient, in order to do what I could to see that all just claims were adjusted in connection with the Territorial Exhibition, to prepare documents, and, in conjunction with the accountant, to furnish papers required by the Department of Finance. This has been no small tax upon both time and energy. Another question—and one of paramount importance to the North-west—is the question of reorganizing and rearranging the magistracy. The work I have done in connection with the subject will be proved when the proper time comes. I have worked indefatigably in the interest of the Territories, and deeply deplore the fact that any public man from there should seek to represent me in a false light. As you are aware, I have been far from well, although deeming it my duty to discharge my social obligations at the Capital. As I leave in a few days for the west, I think it but just to make this representation to you, as leader of the Government.

I have read enough from this letter to put Lieutenant-Governor Mackintosh's statement in his own behalf before this hon. House. I am aware that the Premier promised the hon. member from Assiniboia that as soon as possible he would give this House some statement with regard to the over-expenditure in connection with the Territorial exhibition held in Regina. I have a statement furnished by the deputy minister of Finance in which he says :

Referring to the notice of motion given by Hon. Mr. Perley on the 17th instant respecting the Lieutenant-Governor of the North-west Territories and the Territorial Exhibition, I notice one of the questions is "How much do the unpaid accounts amount to?" From the statements that have been transmitted to this department by his Honour, the unpaid accounts are set down at \$14,234.73.

I have in my hands a long statement sent to the government by Mr. Angus McKay, chairman of the Canadian Territorial exhibition, explaining very fully the causes which led to the over-expenditure. I feel that I cannot make any explanation to the House which would be so satisfactory as some extracts which I shall read from this document. He says :

The organization was completed in January, but consequent upon sectional jealousy, much antagonism was encountered, the Agricultural Societies being anxious to have the Exhibition during September or October, instead of commencing on the 29th July. This was found impossible for many reasons: 1st. It was questionable whether the Canadian Pacific Railway would be prepared to guarantee free transports of exhibits at a later date, the fear being that if the harvest was bountiful, and cattle trade brisk, cars could not be spared in sufficient numbers, while at the same time, all the fall fairs took place in the East, creating a demand for rolling stock. 2nd. That should the crops be good, farmers would be unable to leave the harvest fields and threshing. 3rd. That as Regina had no accommodation except for a limited number of people, should there be an over flow attendance in cold weather, it would be impossible to house the visitors, and canvas being necessary, few would be prepared to utilize it.

The result proved that the Committee acted wisely, as the harvest was large, the cattle trade immense, and the visitors, at the Exhibition so numerous—considering the sparsely populated country—that several squares of tents had to be arranged.

The Committee in the next place, had agreed to duplicate the sweepstakes prizes, so as to give Manitoba and the North-west Territories alternative prizes, it being found that otherwise the Agricultural Societies would not co-operate as earnestly as was desirable on so important an occasion, the design being to show what both provinces could do.

At a general meeting of Committees, it was decided to offer free fodder for all classes of cattle and stock exhibited.

The result was, that just prior to the exhibition, four thousand more entries came in than were expected,—over 290 freight cars conveying the exhibits. This necessitated doubling the accommodation, building corrals, erecting box stalls for horses, pens and cattle sheds together with many other structures, besides providing wells, wind-mills, and for the time being, hauling water a distance of one mile and a half,—it being found that the entries reached 7,794, or more than double those at Winnipeg the week before, where, after many years the Association had been able to erect buildings and stabling to the value of \$60,000. For your information the Committee gives the full number of entries :—

Horses.....	505
Cattle.....	712
Sheep.....	557
Swine.....	373
Poultry.....	1,007
Rabbits.....	32
Dairy products.....	684
Field grains, etc.....	400
Roots and vegetables.....	1,319
Plants and flowers.....	370
Canary birds.....	14
Bees and honey.....	7
Manufactures, Manitoba and N.W.T.....	122
Fruits, preserves, etc.....	154
Leather and leather work.....	27
Preserved meats and fish.....	8
Ladies' work.....	774
Fine arts.....	334
Natural history.....	64
School work.....	246
Indian products.....	85

Total..... 7,794

As compared with other old established exhibitions, the following figures will at once convey to your mind some idea of the emergency which such a volume of exhibits created :—

1895.	Horses.	Cattle.	Sheep.	Swine.
Regina.....	505	712	557	373
Winnipeg.....	281	338	289	141
Montreal.....	582	903	361	372
Ottawa.....	254	408	201	112
Toronto.....	...	720	487	435

In other words, the entries more than doubled Winnipeg, exceeded Montreal and Ottawa and in cattle, sheep and swine equalled the great Central Agricultural show of Ontario—the Toronto Exhibition. It would be superfluous to call your attention to the fact of Montreal and Toronto having immense populations; Ottawa nearly 50,000 and Winnipeg 38,000, the exhibitions having been established in those cities for many years. Regina has a population of about 1,600, while the vast distances between various points only permitted a limited number of agriculturists to attend the exhibition.

The vast number of entries naturally swelled the list of successful competitors—general prizes to the amount of \$16,258.77 being awarded, and all paid except a few disputed ones, the total of these not exceeding \$150 or thereabouts.

Added to this, extra buildings, tents, freight, camp beds, wells employees, became absolutely necessary—men working double time—otherwise

the exhibition would have proved an utter failure. All the stables in the neighbourhood were leased special freight cars secured to convey tents, and other grave responsibilities assumed, rather than have thousands of entries destroyed by the sun, and hundreds of people forced to remain exposed at night without means of anything approaching accommodation.

The committee of the Territorial Exhibition were thus confronted by innumerable difficulties. They were obliged to sanction a large number of unanticipated expenditures, including about \$4,000 for buildings, \$1,200 for tents, \$500 for wells and piping, \$871 for freight, and extra judges' expenses and railway fares for various people connected with the different attractions and management, \$963. An addition \$1,700 was incurred for cots and sleeping arrangements, and about \$600 for extra stabling, while the attendants and extra employees increased \$1,000.

The following is a summary of estimated increase anticipated:—

Buildings.....	\$4,000
Tents.....	1,200
Wells.....	500
Freight.....	871
Railway tickets, C.P.R.....	963
Cots and attendants.....	1,700
Stabling.....	600
Extra employees and caretakers.....	1,000
	\$10,834

A large number of smaller items are not included in this statement and the committee would further respectfully request that you also take into consideration the fact that the amount paid for prize money, (consequent upon the immense number of entries), far exceeded any anticipated liability—being \$6,000 more than was paid at Winnipeg.

The gate receipts, including special privileges, amounted to \$3,067.70; entry fees, \$1,284.00, a total of \$4,351.70, while the receipts from booths, advertising and space in buildings, dining halls, etc., amounting to about \$1,200.00, did not meet the cost of employees, attendants, and incidental expenses.

The Advisory Board and Reference Committee is in a position to say that no public money was expended for any other purpose than the legitimate demands and requirements of the Territorial Exhibition. They say this because some interested parties, who were either prevented from making excessive charges, or whose accounts were thrown out, have sedulously endeavoured to create the impression that extravagance marked the management.

The Committee can further state that throughout the North-west Territories but one impression prevails amongst men really interested in the progress of this country, and that a general feeling that the Exhibition did more to bring the people together, to encourage diversified farming, and to give an impetus to the cattle trade than any other conceivable plan that might have been adopted.

And further in the same strain, the Chairman of the Commission, speaking for the Board, presents, what, I submit, are pretty strong reasons for the excessive expenditure and the failure of the funds that

were at the disposal of the commissioners to meet the expense. I place this statement before the House, because there has been a good deal of criticism, and probably not unreasonable criticism. Hon. gentlemen who have had anything to do with the management of exhibitions—and I have had somewhat myself to do with them—know, even where the conditions are not so hard to appreciate beforehand, as they are in the North-west Territories, that owing to weather, or unfavourable circumstances, it is very hard to predict with certainty what the financial results will be. I have placed this information before the House because it has been promised, and I feel it is due to the House that it should be put in possession of it.

Hon. Mr. PERLEY—I should like to ask the hon. gentleman one question. He need not answer it unless he wishes. When he says that there is \$14,213.17 unpaid accounts, is it the intention of the government to pay it?

Hon. Mr. FERGUSON—With regard to that question, it will be answered when the estimates are submitted to this House. All this matter is under consideration by the government, and the answer will be contained in the estimates when they are submitted to the House.

Hon. Mr. PERLEY—I can understand that as well as the hon. gentleman understands it. The purport of everything that has been said is the fact that there was only \$4,000 of gate money and other receipts in an exhibition that was open a week. I say it is a most disgraceful state of things. I am astonished, and I do not believe Angus McKay wrote one-third of that report.

Hon. Mr. FERGUSON—I think my hon. friend will admit Angus McKay is an honourable man.

Hon. Mr. PERLEY—Yes, an honourable and a credible man.

Hon. Mr. FERGUSON—And I have just read the statement that that gentleman has furnished.

Hon. Mr. BOULTON—I withdraw my motion to adjourn.

BILL INTRODUCED.

Bill (48) "An Act respecting the Canada Jockey Club."—(Mr. McKindsey.)

ADULTERATION OF FOOD BILL.

IN COMMITTEE.

The House resumed in Committee of the Whole consideration of Bill (10) "An Act further to amend the Act respecting the adulteration of Food, Drugs and Agricultural Fertilizers."

(In the Committee.)

Hon. Mr. McCLELAN—I had hoped that the hon. member from Prince Edward Island would not go on with this bill to-day, but that the Government would take it in hand to amend the Adulteration Act instead of passing a special Act of this kind. We had a discussion on this bill when it was in Committee before, and it was the opinion of a good many members at that time, that it was an unfortunate measure and that the object could be met in a better way by simply amending the Adulteration Act and providing either for an inspection of honeys, or for the labelling of packages, or that the name of the producer or dealer should be placed upon each package when placed on the market, and I had hoped that that would be the course which my hon. friend would adopt, but inasmuch as he has decided to recommit the bill, I should like, if the House would give me permission, to read a petition which has to-day been placed in my hands regarding this measure. It is not perhaps formal enough to present in the ordinary way, and therefore I offer it as a part of my remarks. There will be no objection to that. It is a petition and embraces an argument also. It is as follows:—

GUELPH, 17th March, 1896.

To the Honourable the Senate of the Dominion of Canada, in Parliament assembled:

The Petition of William Fletcher Clarke:—

Humbly sheweth: That your petitioner is a bee-keeper of long standing, having made the habits of bees a life-long study, and that from interest in the pursuit as well as regard for the public good, he deprecates the passage of a bill now before your honourable House designed to prevent the manufacture of honey from sugar syrup. His opposition thereto will be found set forth in the following statements:—

"Recent researches in the science of chemistry have proved that the nectar of flowers and the saccharine quality of a pure commercial sugar, such as that known in the market as the best granulated, are one and the same. The best granulated sugar has been largely fed of late years to bees not sufficiently provided with honey stores for winter, and it has been accidentally discovered that this quality of sugar is converted by the bees into a honey which cannot be distinguished by experts from the best grades of floral honey. No sooner was this discovery made public than a hue and cry arose among the ignorant, unscientific, narrow-minded bee-keepers against what they alleged to be threatened adulteration of honey. The parties who have been at work to promote the passage of this bill declare that they are 'determined to prevent adulteration.' It would be well for them to show first wherein the alleged adulteration consists. Chemistry asserts that there is none. It affirms that the nectar of flowers and the saccharine quality of a pure commercial sugar are one and the same. So little is known by the community in general of the nature of bees and honey that it is not strange the House of Commons should have passed the bill in question when it was found to be lobbied by bee-keepers.

"About all that most people know of bees and honey is embodied in Dr. Watt's juvenile hymn, commencing:—

How doth the little busy bee
Improve the shining hour,
And gather honey all the day
From every opening flower.

"Like many other compositions for the religious instruction of childhood, the verse just quoted teaches error. It is not true that the bee gathers honey. It gathers nectar, which it transmutes into honey. The change from nectar to honey is a very great one, as will readily be seen in the light of a few explanations.

"There are in nature two kinds of sugar, known to science as grape sugar and cane sugar. Grape sugar is that which we find in a candied state in boxes of sweet raisins and other fruits. The nectar of flowers and the saccharine principle of the pure sugar of commerce is cane sugar. By the action of powerful salivary glands, and a section of formic acid, the nectar of flowers and the sweet of granulated sugar are changed by the bees from cane sugar to grape sugar. This transformation is one of great importance. Grape sugar is easy of digestion. Cane sugar is one of the most indigestible things in nature. The honey bee, among other good offices which it performs for the human world transmutes the indigestible nectar of flowers into a digestible and luscious article of food. It will do the same with the indigestible cane sugar of commerce. But at this point a clique of beekeepers starts up, under the impression that their craft is in danger, and asks a nineteenth century Legislature here in Canada to pass a law to forbid bees being utilized to change an indigestible product into an easily digestible one!

"Honey is of various grades or qualities. There is that made from white clover and linden or bass-wood, which stands at the top of the market. There is that made from buckwheat, which is of inferior quality. There is a honey sometimes made from aphides, or honey-dew, which is worse than

buckwheat honey. There is that quality of extracted honey which is thick, ripe, thoroughly evaporated, and will keep till doomsday. There is also a thin, watery, unripe kind, which has been rushed almost out of the mouths of the bees by the use of the extractor, and will turn sour inside of a month. Nobody asks for a law to exclude the inferior grades of honey just mentioned from manufacture or sale. It is considered safe to leave these grades of honey to the discriminations of trade. But sugar honey! "Tell it not in Gath!"—Although it is immeasurably superior to buckwheat honey and thin, unripe honey of every sort, the public cannot be trusted to protect itself from that—it must have a prohibitory law against it.

"No one proposes to produce sugar honey, and palm it off upon the public for clover or linden honey. It is proposed to sell it for what it is—'only that, and nothing more.' If clover and linden honey are incomparably better than sugar honey, the public is not so dull and stupid but that it will find it out. Suppose that sugar makes an inferior grade of honey, would it not be a boon and a blessing to people who cannot safely eat the indigestible cane sugar of commerce? Is it not a legitimate article of manufacture? Would not the Parliament of Canada 'do itself proud' to put such a law as that proposed on its statute book at the instigation of a few men who are behind the age, in conflict with science and at war with the most intelligent and advanced beekeepers of our time.

"So far from the manufacture and sale of sugar honey injuring the pursuit of bee-keeping, there is reason to believe it would be an incalculable benefit to it. There are seasons when the flowers yield no nectar, and every year there are at least three months of summer when the bees get nothing from the flowers. If at such periods they can be profitably employed in transmuting cane sugar into grape sugar, what principle of political economy or sound morality is transgressed? Suppose you call the product "digestible sugar," and keep the name "honey" as a monopoly for what is produced from the nectar of flowers, is anybody wronged or injured? Will you decree by law that only broadcloth shall be manufactured, and prohibit tweed or homespun? Will you only allow silk to be made for dresses, and forbid the cheaper fabrics? You might as well do so as decree that the bees shall only make floral honey. Admit, for argument sake, that floral honey compared with sugar honey is only as broadcloth to tweed, or silk to print—and I only admit it for argument sake—is it not absurd and preposterous that such legislation as that proposed should be sought in such a day and age of the world as this?"

I do not ask that the foregoing statements be accepted as the *ipse dixit*, although I am a beekeeper of more than thirty years' standing, but I do ask the honourable the Senate of Canada to pause and thoroughly investigate the facts of the case before committing themselves to a piece of legislation not to be found anywhere on the face of the earth, and only fitted to make us ridiculous in the eyes of the civilized and scientific world.

I oppose the bill now before the Senate mainly for the following reasons:—

1. Because it interferes improperly with the liberty of the subject. It is outside of the proper function of legislation, which is supposed to give freedom of action to every citizen, within such

limits as are consistent with the rights of others and the general good.

2. The manufacture of honey from a pure article of commercial sugar is a legitimate business, with which a legislature has no right to interfere. There is no fraud about it, and no adulteration. It is not proposed to sell sugar honey as white clover, linden, or any other kind of honey. Those who favour it are perfectly willing to have it conspicuously labelled and sold as "sugar honey." Will any man who pretends to know anything about political economy assert that there is any wrong here to be prohibited by law?

3. The fact already pointed out by me—that bees have the function of transmuting indigestible cane sugar into digestible grape sugar is a strong argument against the bill. Here is a great possible good to humanity which this bill seeks to forbid. In the belief of many physiologists, indigestion, kidney trouble, diabetes, and even Bright's disease, are traceable to the vast consumption of an indigestible and poisonous kind of sugar. Is it not in the interest of the human family that an injurious article of food should be changed into a kind that is wholesome?

4. Another objection to the bill is that it is unnecessary, and all needless legislation is an impertinence and a nuisance. Even granted that sugar honey is an inferior, second-rate kind of honey; so is buckwheat, but it is not proposed to have an anti-buckwheat honey bill.

Honey in its various grades is as well able to take care of itself in the world of trade and commerce as any other product.

The insinuation has been industriously made that in opposing this bill, my aim is to injure bee-keeping. This pursuit has no warmer friend than I have proved myself to be for many years past. I resent all imputation of being actuated by any unworthy motive. As an agricultural editor, I have been writing in furtherance of this pursuit since January, 1864, when the first number of the *Canada Farmer* appeared under my editorship. I have done more by voice and pen to promote bee-keeping, dairying and other rural industries than any other living Canadian, and yet men of yesterday, who have reaped the fruit of my labours performed before they were heard of in the fields where I have borne the heat and burden of the day, dare to accuse me of the meanest and worst motives. My record is my defence.

A prominent beekeeper in the United States writes me: "Over on our side we think the better course is to be quiet mostly on the sugar-honey question at present, but if our enemies were so 'cantankerous' as to try to get our legislatures to pass laws for simple purposes of prosecution, then the case would be altered. I was surprised as well as pleased that the Canadian bill failed last year, and the circumstances gave me courage to hope that it will fail again. Whether defeated or victorious, you are a soldier in the cause of the right."

I shall be very reticent in referring to Canadian beekeepers, but I have letters from some of them also. Of course, I have no right to publish private letters without leave, and I do not intend to ask it. I am fighting this battle single-handed, not but what I have allies, but the circumstances are peculiar. I have suffered a bitter prosecution for three years past for daring to speak

out, and I do not ask any man to face the ordeal through which I have passed. In addition to other letters, I have received an anonymous one, from which I quote a few extracts, in conclusion, merely remarking that I have not the slightest idea who the writer is or where he lives, only that he writes from "Ontario, June 7th, 1895.

"I am glad you are trying to fight these Philistines. You have more sympathisers on your behalf than you imagine. I love beekeeping, and have no need of lessons from anyone. I know I have forgotten more than some of those ringleaders ever will know. I trust you will not put your sword back into the scabbard till you route the enemy."

This law is wanted for selfish ends. So manifestly is this the case that an American bee journal editor speaks of it as follows:—"Canadian bee-keepers should cease trying to get a law passed for the purpose of prosecuting their neighbours. The sugar-honey law which has been offered to two Parliaments in succession, gives itself away in its wording—evidently not so much intended for enforcement as for a handy club to hit prominent heretics." If it were meant to protect the interests of bee-keeping at large, nothing more would be asked than that sugar-honey be sold on its merits. A law requiring it to be duly labelled and sold for what it is would rouse no opposition.

During the discussion of this Bill in the House of Commons I was personally attacked, denounced by name, belittled as a bee-keeper, and my reputation as an authority on bee-keeping damaged. Unfamiliar with parliamentary usage, I beg to ask your Honourable House whether I have any protection against this kind of persecution. The promoters of this Bill are a strong corporation, and their lobbyists have their expenses paid by a government grant contributed by the Local Legislature of Ontario. I cannot go to Ottawa at my own cost and charges, but if your Honourable Body will consent to postpone the Bill and call for evidence, I stand ready to substantiate all the statements I have made, and furthermore pledge myself to submit to this House a case of sugar-honey so equal in every respect to the best samples of floral honey, that honourable members will be unable to detect the difference.

I am not engaged in the production of honey for pecuniary profit. I follow bee-keeping as a scientific pastime and for the possibilities of development and usefulness I see in it. In all scientific advancement there must be pioneers. There was a time when the true system of the universe was understood by only one man in "the wide, wide world," and he was treated as a malefactor. I admit that the advanced thinkers on this sugar-honey question are but a small minority, but they have a right to be heard, and my earnest prayer is that your Honourable Body will give an opportunity for evidence to be fully and fairly taken before passing a Bill which will make me blush for my country for having enacted a species of legislation fit only for the dark ages.

And your petitioner, as in duty bound, will ever pray.

WM. F. CLARKE.

I felt, having been entrusted with this document, that it was due to the gentleman who had taken an interest in bee-keeping, that

it should be brought to the notice of the House. Much of it is in the same line of argument as was advanced by my hon. friend from Kingston, and others, in the debate which took place on the bill in this committee before. I am surprised that this bill should be pressed as it is, and I hope, at all events, if my hon. friend from Queen's County intends to add this to the legislation of the session, that there will be a considerable amendment made to the bill before it passes.

Hon. Mr. SULLIVAN—I entirely endorse the sentiments which have been read by the hon. gentleman just now and which emanate from a gentleman not personally known to me, but known by reputation to be one of the most distinguished entomologists in this country. Therefore, I think his words should have weight. It is rather unpleasant to oppose any bill, and nothing less than a sense of duty and the feeling that there is no necessity for such a measure as this, induces me to oppose it. There are three parties supposed to be interested in the bill, the bee-keepers, the people and the bees. The bill is entirely in the interests of one to the injury of the other two. It certainly is of no possible benefit in the first place. It exemplifies a principle which I think should never be recognized—undertaking to dictate the diet of animals. If this principle were followed out, as I said on former occasions, it would be a terrible punishment to the public in general and do no possible good. The value of honey cannot be gainsaid. In fact, in several countries it occupies a position as an article of commercial value which is of great benefit to those who gather it from the bees. The Russians produce about five or six hundred thousand pounds of honey annually, and the United States has cultivated the industry to a large extent. The Germans have endeavoured to stimulate the cultivation of it and spread information about honey and bees as much as they possibly can among the people, and I think this is one of the subjects which should have engaged the attention of our Experimental Farm and in that way we would know exactly how the matter stands. I know of one bee-keeper in the United States who raised as much as \$30,000 worth of honey in a year. I think, therefore, that an article of this kind deserves the greatest attention,

and the first question that one asks himself is in what way can this feeding of sugar to bees be injurious to the public or injure the honey in any way. It may lower the standard grade of it, but that is entirely a matter of inspection. In fact, this bill should not be introduced, but in my opinion an addition might be made to the Adulteration Act, but not to apply to any so called adulteration such as is mentioned here; because it is not an adulteration at all, in the sense of rendering the article in any way injurious. I am sure the different grades can be recognized readily by the merchants who handle them. As the gentleman whose report has been read remarks, honey is just a sugar, not much different from common sugar, except in the peculiar flavor which may be obtained from the nectar of different flowers which gives the excellence to honey. So important is this that bee-keepers all recognize and desire to get a quality of honey that will sell well. It is to their advantage. Now this sugar differs in no wise, except in a few chemical equivalents, from honey. It is just as healthful to the animal economy as honey is, and may be more healthful. At all events, it is not less wholesome to those who take it as an article of food. Of course, there are no flowers for the bees to feed on for a considerable part of the year, and they have to substitute the very article which is legislated against in this bill. I do not see how you are going to discriminate when the bee will have taken a sufficient amount of it for food and when it begins to manufacture honey from it. I may give you a short sketch of the way in which this honey is gathered. The bee is furnished with two stomachs, the first being a sort of trough for the honey. When the nectar is taken from the flower, it remains in the first stomach, and then it is mixed with such other juices as may be there, into the comb, and constitutes the article which is termed honey. Now, if sugar is fed to them in the same way, it seems to me that there is not any difference, except what slight difference there may be in the flavour. Therefore, I cannot see in what way under heaven this can be legislated against as an injurious article. It may be for those bee-keepers who have some peculiar combination, or some way in which they are determined that some others who are not in the combination—I do not know for a fact that it is so, but I merely suspect it—shall be kept

out. At all events, it is beneficial that experiments of this kind should be made, because there may be a method of feeding bees in such a way as might possibly produce better honey than the natural article, or something that would be more nutritious. We do not know that that would be the result, but this puts an end to all such experiments. As that gentleman has told us, when flowers become scarce, the bees have to get honey from leaves, plants and honey dew. Now, this honey dew is supposed to come from a smaller insect, belonging to the aphide, and, therefore, is noxious.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. SULLIVAN—So you see that their natural food in that way might be noxious, whereas it is impossible for sugar properly prepared and fed to bees with a due regard to economy to be deleterious to health. Moreover, as was suggested by the senior member for Halifax, there is a better way to prevent fraud, namely, by way of inspection. Although it looks to me simply ridiculous at this stage of the production of honey in this country, if they wish to do it, let them have the honey inspected and branded according to the merits which it is supposed to have, either as an article of diet, a nutritious article, or as an article of luxury. I think that would meet the spirit of the Act, but this bill is a very undue interference with a practice which is not shown to be in any way noxious, which, on the contrary, is shown to be beneficial and which might enable more persons to obtain an article which is just as good as the ordinary honey at a cheaper rate.

Hon. Mr. DEVER—Since this bill was placed before the Senate I have taken some trouble to ascertain what are the qualities of honey and what are the possible mixtures that might be considered adulteration. Now, as the bill came before us in the first instance, it presented the thought that the use of glucose in feeding bees was an adulteration. I find, from reading the opinion of authorities, that glucose and honey are identical. I have my authority here. "Glucose, a sugar largely found in the vegetable kingdom and is honey." The way they account for this, is that sugar going through the process the bee puts it through prepares it and makes it honey, as

much so as that which it extracts from flowers. Again, what it extracts from the flowers is called honey. It is not honey—it is nectar, a sweet substance, and by the operation of the bee it is made into honey. Now hon. gentlemen will see that if we go to legislate in the dark we will rather bring ridicule upon ourselves, seeing that this bill emanated from some incompetent authorities. I do not think the promoters of it knew the real qualities of honey, nor did they realize or know what they supposed was adulteration. Adulteration means something inferior to that which it is mixed with. Well, if glucose and cane sugar and grape sugar and all saccharine matter that bees can extract honey from is not poisonous or injurious, but on the contrary is fit for human use as food, why should we brand it as an adulteration? I also have in my hand a pamphlet sent to me which I think is a most reasonable one. Before going into that, I had better quote other authorities, showing that glucose and cane sugar and all these other sweets are convertible by the bee into honey and good honey—the best of honey. Glucose according to another authority is made of grape sugar. Well, that cannot be poisonous. We all eat raisins and we know that there is sugar in raisins. It is not injurious as food. Then again, “honey is sugar or sweet extract from flowers and clarified by bees.” Then another authority “bees can assimilate sugar into honey.”

Hon. Mr. FERGUSON—Who is that authority?

Hon. Mr. DEVER—I did not take the name—“The only difference is the want of the flavouring of flowers; the honey is good.” Then another, “sugar and cream are excellent food for bees”—even as food for the bees to keep them healthy when they are short of honey. Sugar is also excellent as food for horses and other animals. We have an instance in history showing that when the British cavalry were short of food in the Crimea, they had to use sugar as food for their horses.

Hon. Mr. PROWSE—They did not make honey of it.

Hon. Mr. DEVER—Honey is nothing more than good sugar. The horses were fed on eleven pounds of sugar per day and they

were found, after a long period, to be in excellent order, as if they had been fed on their ordinary food—in fact, better, showing clearly, that sugar cannot possibly be an adulteration when converted into honey by bees. Now this book that I have in my hand—

Hon. Mr. POWER—That has been read.

Hon. Mr. DEVER—I want to read an extract from it, because it is worth while. I believe it is a sensible article. The man who wrote it evidently knew what he was about.

Hon. Mr. MACDONALD—Who was the writer?

Hon. Mr. DEVER—Mr. Clarke.

Abortive attempts have been made during the past two sessions of the Dominion Parliament to pass a bill prohibiting the manufacture of honey from sugar syrup. Recent researches in the science of chemistry have proved that the nectar of flowers and the saccharine quality of a pure commercial sugar, such as that known in the market as the best granulated, are one and the same. The best granulated sugar has been largely fed of late years to bees not sufficiently provided with honey stores for winter, and it has been accidentally discovered that this quality of sugar is converted by the bees into a honey which cannot be distinguished by experts from the best grades of floral honey. No sooner was this discovery made public than a hue and cry arose among ignorant, unscientific, narrow-minded beekeepers against what they alleged to be threatened adulteration of honey. The parties who have been at work to promote the passage of this bill declare that they are “determined to prevent adulteration.” It would be well for them to show first wherein the alleged adulteration consists. Chemistry asserts that there is none. It affirms that the nectar of flowers and the saccharine quality of a pure commercial sugar are one and the same. So little is known by the community in general of the nature of bees and honey that it is not strange the House of Commons should have passed the bill in question last session, when it was found to be lobbied by beekeepers. It was, however, thrown out by the Senate. Unfortunately, our Parliaments have too often passed Acts in the interest of monopolists and combines rather than for the good of the general public. The anti-sugar honey bill is one of this class.

About all that most people know of bees and honey is embodied in Dr. Watt's juvenile hymn, commencing :—

How doth the little busy bee
Improve the shining hour,
And gather honey all the day
From every opening flower.

Like many other compositions for the religious instruction of childhood, the verse just quoted teaches error. It is not true that the bee gathers honey. It gathers nectar which it transmutes into

honey. The change from nectar to honey is a very great one, as will readily be seen in the light of a few explanations.

Hon. Mr. ALMON—If you read a little further you will see that Dr. Watts says "and stores it well with the sweet food which he makes," not with the food he collects. Dr. Watts was a great friend of mine and you should not misrepresent him.

Hon. Mr. DEVER—From all the information I can get, I feel disposed to oppose the bill as it came into the House. I believe we can accomplish what is necessary for the good of the community and for the purpose of having a healthful honey sold in the shops by merely grading the honey 1, 2, 3, as it may be made from the various substances that bees can extract honey from. I believe it is utterly impossible for bees to extract honey from any substance and make it injurious to man. We have other classes of insects that can do so, but not the bee. I trust the hon. gentleman will see that this bill is obnoxious to a great number in this House, and justly so.

Hon. Mr. MACDONALD (B.C.)—And to the bees as well.

Hon. Mr. FERGUSON—The introduction of this question in regard to the bee-keeping industry has had one very good effect at least, for some hon. gentlemen seem determined to emulate the industry of the little busy bee in the great diligence with which they have set to work to study up this question since it came before the House. It is right and creditable and I must congratulate the hon. gentlemen on the great industry they have shown. My hon. friend from Albert indicated that he thought I should not continue to push it. My connection with this bill is this—I knew nothing about it until it was received as amended from the House of Commons, and it being of a public nature, I felt it my duty, as I was the only member of the government here, when the message reached this House to give it the necessary motion before the House, and, finding my name connected with it, and beekeeping being a subject in which I feel a great deal of interest, being an amateur myself and having studied the subject a little, I have taken charge of the measure in the Senate. My hon. friend will see at once that, having taken charge of the bill, it would not be at all proper on my part

to cease to push it. I have a duty to discharge in connection with it, not to drop it without the consent of the beekeepers at any stage, believing as I do, that it is a wise and proper measure. The bee-keepers of Canada have for years sought the protection which this bill is calculated to give them. Two years ago my hon. colleague, the Minister of Inland Revenue at that time, Mr. Wood, took the matter up and went to a good deal of trouble to try and frame a bill which would fit in with the Adulteration Act to meet the views of the bee-keepers. I have here before me the bill which was framed at that time. It was sent to the Bee-keepers' Association and they disapproved of it, and the consequence was that it did not come before Parliament at all. The measure that we have before us, as it came from the other House, contains the almost united opinion of the bee-keepers of Canada. I have in my hands the Canadian Bee-keepers Journal for the month of March and here I find that this very Bill and the action that parliament is taking upon it, was discussed by the Ontario bee-keepers. There are perhaps a dozen local bee-keepers associations in different parts of the province of Ontario, and there is a general association of bee-keepers for the entire province. That association met a few weeks ago in the town of Brantford and Mr. Pettit presented his report. I should have mentioned that the papers before me show that this gentleman was sent to Ottawa as a delegate from the Bee-keepers Association, on I think more than one occasion, for the purpose of promoting this bill, and that a very considerable expense has been incurred by the bee-keepers for the purpose of securing the passage of this measure. I may here remark that hon. gentlemen will discover in this report references to this petition that my hon. friend has read, and which he admitted was not a regular petition and consequently incorporated it in his remarks. Mr. Pettit refers not only to that petition, but to the statement read by the hon. member from St. John, which I discovered contained, word for word, the same language as is found in this petition. You will find, if you listen carefully, that Mr. Pettit in this report which I am about to read, deals with that very document, and that very petition which has been read to the House, and which I have on my desk.

Hon. Mr. McCLELAN—The petition contains extracts from the work of Mr. Clarke which my hon. friend read.

Hon. Mr. FERGUSON—The same words exactly are in the petition. Mr. Clarke of Guelph, I understand, is about the sole opponent in Canada of the passage of the bill before the House.

Hon. Mr. McCALLUM—I think the hon. gentleman will find that there are a good many more than Mr. Clarke who are opposed to this bill.

Hon. Mr. FERGUSON—I am speaking of the bee-keepers. I will put this before the House and they can appreciate whether the report of the bee-keepers of the province of Ontario is not entitled to as much respect and weight as the statement of this Mr. Clarke. He may be a very respectable man—I do not know anything about him but I submit to hon. gentlemen that the views of the Bee-keepers Association of the province of Ontario assembled in convention, are entitled to as much, and I think to more weight than those of any single individual.

Hon. Mr. DEVER—I do not pin my faith to Mr. Clarke alone. I have taken extracts from other authorities.

Hon. Mr. FERGUSON—I am not dealing with all that my hon. friend said: I am dealing with some extracts which are the same as my hon. friend from Albert read, and precisely the same as some I have on my own table. Mr. Pettit reports as follows:—

It will be remembered that soon after the session of Parliament for 1895 closed, I reported to the Canadian Bee Journal that the bill had not been reached. Now, if there is any consolation in it, I will state that there were over thirty other bills that shared a like fate. But I believe the failure in our case came about largely through the fact that we have in our association an opposition of two members; a small opposition, but a very vigorous one.

When it was announced that the House of Commons would meet in April, 1895, I at once wrote T. S. Sproule, M.P., to introduce our bill at the earliest possible moment, so that it would be sure to get through. Mr. Sproule answered that he would be sure to do so, and that I had better come down to Ottawa about the second week of the session, for the bill would likely get its second reading about that time. So in compliance I went down.

During the year 1894, as well as previous to that, there was an under-current of opposition that

did not come to the surface very distinctly, but it did harm all the same. But during the session of 1895, besides the under-current, there was an open and virulent opposition waged in the press against our bill. From the many misleading statements set forth in the press, I select the following, viz.:

That "the nectar of flowers and cane sugar are one and the same." That "it has been accidentally discovered that the best granulated sugar is converted by the bees into a honey which cannot be distinguished by experts from the best grades of honey." That "no sooner was this discovery made public than a hue and cry arose among ignorant, unscientific, narrow-minded bee-keepers against what they alleged to be threatened adulteration." That "this law is sought for selfish ends, it is wanted as a weapon and a menace to keep an upstart clique in power." That "unfortunately our Parliament has too often passed acts in the interests of monopolists and combines, rather than for the good of the general public; the anti-sugar bill is one of this kind."

Now, you can well understand how these untruthful and damaging statements militate against the success of our bill. I may state right here that I replied to the press in order to disabuse the public mind of the spurious and misleading statements afield forth by our opponent.

Again an effort was made to work up a prejudice against our bill by stating, in a public way, that it legalizes honey dew, when such is not the case, for it does not in any way seek to affect the legal status of honey dew. Again, one of our opponents set forth that \$50 is a maximum fine in the Adulteration Act for manufacturing or selling that which is not injurious to the public health. This statement is not in accord with facts, for the maximum fine for the former offence is \$100. It would seem that that statement is made in order to prejudicially effect our bill. I mention these things that all may understand the difficulties to be overcome.

While at the Capital last April, I again had the honour of placing our claims before the Premier and nearly all the Ministers and many members of the House of Commons, and also before some of our Senators, and I came away with the feeling that our bill would become law if the members should be privileged with an opportunity to vote upon it, and I am seized with the same conviction still.

And now I do recommend that the association continue to press its claims for the legal protection of our struggling industry and the reputation of Canadian demand.

One bee-keeper, a Mr. McNight, objected to the expense and blamed Mr. Pettit because he did not agree to accept Mr. Wood's bill, two years ago, which he thought would have been satisfactory. Mr. Pettit went on to say that he took the entire responsibility of rejecting that bill, because it did not meet the views of the bee-keepers. The result of all this was that Mr. Evans moved, seconded by Mr. Chrysler—

That the report of Mr. Pettit be received, and that the executive of this association be instructed

to press for the passage of the pure honey bill, with any amendment that they may deem advisable, and that the same committee be appointed, and that the executive have power to decide whether one or three should go to Ottawa.

I read that in order to show hon. gentlemen that the Bee-keepers' Association for the province of Ontario, who understand this question thoroughly, are practically unanimous in asking for the passage of the bill. While on that subject I want to refer to this gentleman (Mr. Clarke) through whom this opposition came. I have already said I no not know the gentleman, but his circular has been distributed through this House.

Hon. Mr. WARK—He is the agricultural correspondent of the *Montreal Witness*—a very intelligent man.

Hon. Mr. SCOTT—He is a pioneer in bee keeping.

Hon. Mr. FERGUSON—I must say if hon. gentlemen take the trouble to look at the circular he has distributed here and look at the spirit of it they will be inclined to question its merits in other respects as well. It is a mixture of honey and other things that do not appear as sweet as honey. I will just read the explanatory remarks at the commencement of the pamphlet :

This pamphlet is issued in self vindication and self-defence. I am now 71 years of age. During all my past history I do not remember that my veracity has ever been publicly questioned. But at this time of life I find myself stamped as a liar by two men who have no good reason to do otherwise than respect and speak well of me. Mr. McEvoy, in the *American Bee Journal*, and Mr. R. F. Holterman, in the *Canadian Bee Journal*, have branded me as a liar without proof.

Mr. McEvoy is an employé of the Ontario Government, appointed I suppose, at the nomination of the bee-keepers for the inspection of honey, and from what I can learn he has come into collision with Mr. Clarke on account of having a duty to perform to destroy hives that Mr. Clarke had on account of foul brood. Mr. Clarke's explanation in the matter continues :

At present the only course open to me is the one I have adopted. I have lodged a complaint against Mr. McEvoy for defamation of character and maladministration of office before the Ontario Government, which has been referred to the Ontario Bee-keepers Association, and will, I suppose, be heard at the annual meeting in January.

At the meeting of the Bee-keepers Association they unanimously sustained Mr. McEvoy's action. Mr. Clarke continues :

On the receipt of the August number of the *Canadian Bee Journal* the following letter was addressed to the editor :—

F. R. HOLTERMAN,—

SIR,—August *C. B. J.* is just to hand, and I note your allusions to me. Several times you charge me with deliberate lying, *e. g.* "all of this, he knows, is untrue." I have stood a great deal from you and been civil. This I will not stand from you or any other man. I have made no statement at any time that I did not sincerely believe to be true. I demand that you retract these aspersions on my character, and apologise for them, or I shall treat you accordingly. The statement that I asked to be made an honorary member of the N. A. B. K. A. is utterly false, and if you have a spark of honour about you, you will publish my indignant denial of it.

WM. F. CLARKE.

GUELPH, 7th August, 1895.

I have read this statement in full and it goes far to convince me that Mr. Clark is animated by very strong personal feelings—may be justly, for all I know, but he has a very strong feeling of personal resentment against the Bee-keepers' Association and that resentment has animated him, to a considerable degree at all events, in the course that he has taken in opposition to this bill. The bee-keepers ask that a law shall be passed to prevent the giving of sugar to bees for the purpose of making honey. At the same time they are willing and they ask that it shall be made lawful to give sugar to bees for food. Now, my hon. friend from Kingston and other hon. gentlemen cannot reconcile these two provisions. They are perfectly reconcilable to anyone who has had experience in bee-keeping. The honey is the bee's natural food. It eats the honey and digests it. That is true of honey or sugar that the bee uses for food either for present purposes or stores for winter use. The gathering of honey, as surplus is altogether a different thing, and hon. gentlemen should know that with the new and improved frame hives and other appliances now in the hands of bee-keepers, it is quite a simple and easy matter to control the operation of the bees and to direct when the insect shall store honey for its own use in the lower brood frames and put up stores for winter use and for present supply, and for gathering honey for the market. That, by manipulation, is the

easiest thing in the world to do and whenever a public inspector, or other person, should find a second brood chamber on a hive in any man's apiary, and would see sugar and water mixed together exposed for the purpose of feeding the bees, it would be *prima facie* evidence that he was feeding the bees with sugar for the purpose of producing honey for the market. That would be *prima facie* evidence against him, but it would be open, under this bill, for the bee-keeper so charged to show that he was not doing anything of the kind, because in some cases it is a very good way to strengthen weak colonies by putting on an upper brood chamber on flourishing colonies to be filled and afterwards removing it to a weak colony to give them stores for the winter. Therefore, there would be no difficulty, and none appears in the estimation of practical bee-keepers, to feed bees with sugar for an article of diet. A good deal has been said about adulteration and some hon. gentlemen have an impression in their minds that an adulteration must be something that is injurious to health. We know that is not so. Sometimes adulteration is a benefit. We know that in the estimation of a great many people the adulteration of coffee with chicory is regarded as an improvement, and still it is an adulteration of coffee. Some hon. gentlemen have got a rather wrong meaning of the word. It is an adulteration of an article if you introduce another substance in it whether it is to improve it or to injure it.

Hon. Mr. McCLELAN—To adulterate is to debase ; if it improves the article you cannot say it is adulteration.

Hon Mr. FERGUSON—I am speaking with a full sense of the meaning of the language that I am using.

Hon. Mr. DEVER—In this case it cannot be so at all, because these men point out that the bee actually makes honey from the sugar ; therefore if the bee makes as good honey as can be extracted from the flower, how can it be an adulteration ?

Hon. Mr. FERGUSON—I am making my statement now. I say that our Adulteration Act distinguishes between classes of adulteration. There are adulterations, so described under that Act, where the product does not contain any deleterious substance

whatever and where it is not prejudicial to health, and yet under our law, and very properly too, it is classed as adulteration, and those who practice it are liable to a penalty, because of the tendency put to an inferior article upon the market and deceive the people with the impression that they are getting a superior and more expensive article.

Hon Mr. SULLIVAN—Then it is deception.

Hon. Mr. FERGUSON—It is deception ; it is the substitution of an inferior substance under the name and appearance of a better substance and therefore, it is adulteration. That is precisely what is objected to in the matter of feeding sugar to bees for the purpose of making what is called honey. Any bee-keeper knows that you can feed sugar, or a syrup of sugar and water, to bees in such a way that they will carry it direct into the cells and store it with great rapidity. As much as 20 or 21 lbs., actual weight, has been carried by bees from the top of a hive and placed in the cells in one day. Hon. gentlemen seem to think that if they do this, the result is honey. Against that I gave on a former occasion, the definition of honey by the chief officer who deals with the subject in the United States a definition which been adopted by the Inland Revenue Department here, that honey is the nectar of flowers extracted and gathered by bees and stored in cells made partly, at least, of wax of their own making.

Hon. Mr. POWER—The hon. gentleman said the other day that there was no wax in honey.

Hon. Mr. FERGUSON—That remark shows how little the hon. gentleman knows about the subject. I am now speaking of the cell, not the honey. Honey as it is gathered contains no wax. Hon. gentlemen say it contains the same percentage of sugar that the honey gathered from flowers does, and therefore it must be the same. My hon. friend from Kingston, is an eminent authority on chemistry, I know, and I should hesitate to shiver a lance with him on that subject, but I know as much about bee keeping as he does. Hon. gentlemen think, because of sugar is contained in honey and that they must be the same. To show how wrong that is, I have here an

analysis furnished me by Mr. Macfarlane of the Inland Revenue Department, Ottawa (who will be admitted as a high authority indeed on matters of this kind) of strawberry and onion leaves, so far as sugar is concerned. The leaves of onions contain 5.65 parts of sugar.

Hon. Mr. SULLIVAN—In how many parts?

Hon. Mr. FERGUSON—In 100. And strawberry contain 6.28. The difference between the leaves of the onion and strawberry, that is the berry, is only a fraction of one per cent in quantity of sugar that they contain, and I suppose from analogy it would be quite proper for hon. gentlemen to tell this House that they were practically one and the same thing,

Hon. Mr. POWER—The hon. member must remember that he is dealing with only 5 per cent of the constituents of onions and strawberries, and he has to deal with the other 95 per cent; but in the case of sugar and honey, the identity extends to nearly the whole thing.

Hon. Mr. SULLIVAN—It is the whole thing.

Hon. Mr. FERGUSON—My honourable friend from Halifax says we must take all the parts into consideration; we will take them all. We find of water 87.6 in the strawberry and 88.7 per cent. in the onion leaf, and therefore there are only 6 or 7 other parts to be accounted for in order to account for the difference. That may account for a great deal of difference. I only present this to the House in order to show that the reasons offered, that because cane or grape sugar are found in honey as in sugar, therefore the product must be the same, is not a sound argument. Just as the honourable gentleman from Halifax has pointed out to me, and very correctly pointed out, you must take the other substances into account and you must do so with honey and sugar also.

Hon. Mr. SULLIVAN—There are no others.

Hon. Mr. FERGUSON—I have the analysis of honey here. Of grape and cane sugar, there are about 74 per cent in honey, and of water there is 20 per cent.

This brings me to another point; my hon. friend differed from me the other day as to the amount of wax there was in honey. I understood my hon. friend to say that the bees gathered sugar and a little wax. I ventured the opinion, as opposed to his, that there might be pollen in the honey but there could be no wax. My reason for making that statement is this, that the bee does not gather wax at all.

Hon. Mr. SULLIVAN—I did not say that the bees did.

Hon. Mr. FERGUSON—I thought that was what my hon. friend said.

Hon. Mr. SULLIVAN—I said they made the wax.

Hon. Mr. FERGUSON—The bee exudes the wax from its body and builds its cells with it.

Hon. Mr. DEVER—It must have gathered it in the first place.

Hon. Mr. FERGUSON—Not at all, the bee collects the sweets and pollen and exudes from its body wax, out of which it makes its cells, but I find the honey contains of wax and pollen together only 0.71 per cent.

Hon. Mr. POWER—What are the remaining constituents of honey? I understand glucose and cane sugar compose 74 per cent.

Hon. Mr. FERGUSON—Yes, water 20 per cent.

Hon. Mr. SULLIVAN—There is 94 per cent which is just sugar and water.

Hon. Mr. FERGUSON—My hon. friend from Albert the other day speaking upon this subject, quoted from a book by Professor Cook, of Michigan. Well, I have been looking over that book. I have had very little time to glance over its contents since that time, but I find it contains a good many things which do not sustain the view which my hon. friend takes in opposition to the bill.

Hon. Mr. McCLELAN—I read an extract, only to save time.

Hon. Mr. FERGUSON—Yes, but the extract must be taken in connection with the general tenor of the book.

Hon. Mr. McCLELAN—Certainly.

Hon. Mr. FERGUSON—In describing honey, Professor Cook says :

Of course the first products of bees not only to attract attention but also in importance, is honey. And what is honey? We can only say that it is a sweet substance gathered from flowers and other sources, by the bees. We cannot, therefore, give its chemical composition, which would be as varied as the sources from which it comes. We cannot even call it sugar, for it may be and always is composed of various sugars, and thus it is easy to understand why honey varies so much in richness, colour, flavour, and effects on digestion. In fact it is very doubtful if honey is a manufactured article at all. It seems most likely that the bees only collect it as it is distilled by myriad leaves and flowers, and store it up that it may minister to their and our necessities. To be sure, some writers contend that it undergoes some change while in the bee's stomach; but the rapidity with which they store, and the seeming entire similarity between honey and sugar fed to them and the same immediately extracted from the comb has led me to believe that the transforming power of the stomach is very slight, if, indeed, it exists at all. To be sure I fed sugar-giving bees empty combs at nightfall, and found the flavour of honey early the next morning. In this case honey might have been already in the bees' stomachs or might have been carried from other portions of the hive.

I call honourable gentlemen's attention to this eminent writer, who seems to think it a matter of great surprise to find the flavour of honey in the comb after bees had been fed over night with sugar, and he accounted for it by the fact that some honey might have remained in their stomachs.

Hon. Mr. POWER—Would the hon. gentleman be kind enough to give the date of the publication of that work?

Hon. Mr. FERGUSON—This is the edition of 1882. I am sorry I have not got a later one, but I think the words are the same, although they may be found on a different page, as in the new book.

Hon. Mr. McCLELAN—The book from which I quoted was issued in 1894.

Hon. Mr. FERGUSON—But the words the hon. gentleman quoted the other day are in this book, and the words I have quoted are also in the other book. I have only had the book in my hands a few minutes, but I do not think there is any difference in the two editions, as far as the extracts go.

Hon. Mr. McCLELAN—The point the hon. gentleman is making is that the nectar did not undergo any change by the bees.

Hon. Mr. FERGUSON—No; so far as sugar is concerned it does not appear to undergo any change, except converting cane sugar into grape sugar, but the aroma of the flower, and the other qualities that belong to honey are not in it at all, and cannot be in it.

Hon. Mr. SULLIVAN—What is the nourishing part of the honey?

Hon. Mr. FERGUSON—No doubt it is largely sugar.

Hon. Mr. SULLIVAN—Tell me any other substance in it that is nourishing?

Hon. Mr. FERGUSON—There is no question at all about that, but the objection that the bee-keepers make is to giving bees sugar mixed with water, and allowing them to impose, as they do, upon the public by selling it for honey. It is not nearly so likely to be done when the honey is abstracted and sold in bottles and in jars, because then the public are on their guard, but when comb honey is put upon the market, bearing all the evidence of having been built by the bees themselves, the public are unsuspecting, and they are inclined to take that and believe they are getting genuine honey, the product of the bees, which they are not getting. My hon. friend read something about the water that is contained in the honey when it is originally stored. That is a very important point, and it comes in with great force on this question of the turning of sugar into so-called honey by the action of the bees. The bee carries a larger proportion of water into the cell with sugar than it would from the flower. Besides that, it stores with greater rapidity and the natural instinct, when it is gathering from the flower, is to fill the cell and leave it for a considerable time without sealing it, in order that the water may evaporate, or that the honey may assume the proper consistency. But when you supply diluted sugar to the bees, they become nothing more or less than common carriers. They will carry that sugar, as much as 21 lbs. in a day, and fill their cells with great rapidity. The bees get excited and work hard, and get the cells filled up improperly, and they get a larger proportion of water. The product is not a good and wholesome article; it is not honey at all. It is not desirable that

this thing should be permitted. Some hon. gentleman quoted a United States authority on the subject. That is where we differ from our neighbours. We have heard about filled cheese, and we know the result is, United States cheese sells a good deal cheaper in England than Canadian cheese. And why? Because they have not taken the care and precaution to make their produce as good as that of Canada, and the same way with regard to honey. The United States bee-keepers do not take the same care that Canadians take, and on the other hand they seem to be satisfied with a kind of adulteration. The Canadian bee-keepers are anxious that Canadian honey should have the same good character that our cheese has. They want to prohibit all adulteration, and they ought to be the best judges of what is best in the interest of their industry. The bill only imposes restrictions on bee-keepers. They come to parliament and ask, in the interests of this industry, which is now important, and which may be a more important one in the near future, that such legislation shall be granted, that if any dishonest men wants to put an inferior article on the market, and try to do so, he will be prevented. The English market is very fastidious, and this very legislation will be an assurance to the consuming public in England, that the Canadian bee-keepers wish to do an honest and legitimate business and to put upon the market the very best article that can be produced. I felt it was due to this House and to the Bee-keepers Association, with whom I have had no negotiations, but who have been earnestly asking parliament to give them this protection, that they should get this legislation. Hon. gentlemen in the other House discussed the Bill fully and passed it.

Hon. Mr. SCOTT—Not in the same shape.

Hon. Mr. FERGUSON—No, but that is not a matter of great importance. There is just this difference and to which my hon. friend from Albert attached a very great deal of importance the other day—the bee-keepers of Canada ask that this feeding of sugar to bees, and the production for sale of an article that was not honey at all, should be prohibited. The House said we agree with you in that. We are willing to prevent you making that and selling it. You can make it

for yourselves if you like and not sell it, but when the bee-keepers want the bill to apply to the general public and do not ask for the privilege for themselves, I do not think we should give them what they don't want. However, that is not an important matter, and I would not at all insist upon it. If any of the details are not right, if the amendments are not the best way of meeting the object which the bee-keepers and the hon. members of this House have in view, let them suggest some changes and amendments, and I am sure I will not object as long as I find they are calculated to carry out the object which the House and the bee-keepers think desirable.

Hon. Mr. SCOTT—Is there any legislation in the world similar to this?

Hon. Mr. FERGUSON—I do not know.

Hon. Mr. McCLELAN.—There are one or two things I might say in reply to my hon. friend. I quite understand how, the bill being placed in his charge, he feels responsible for the proper consideration of it, but the reason I hoped he would not go on with it was this; that the Premier was here when we had the discussion before, and I had hoped that he was impressed with the idea that this matter could be reached in a better way by an amendment of the Inspection Act or in some other way, so that we would not be interfering with individual rights. My hon. friend speaks about the Bee-keepers' Association and it developes, from his own remarks, that there is a sort of combination to crush out individual bee-keepers, and that is the very difficulty that I see about it, and the amendment made in the other house was merely to temper that and reduce the force of it by not imposing a penalty upon the individual who keeps bees for the purpose of raising honey for his own household. The Bill as now submitted does not allow him to do it. If clover is scarce, if there is a drought, if sometimes the bees cannot get nectar from flowers, and the owner choses to supply sugar, so as to feed his bees and secure for his own household honey which suits his taste, why should he be prevented and subjected to a penalty? I ask whether this is proper legislation—which does not exist in any other country on the face of the earth. This is not a Government measure; I wish that distinctly un-

derstood, because I inquired about it ; it has been accidentally entrusted to the hon. gentleman. Practically, his idea is that the bees are common carriers ; that they gather the honey and deposit it. That was the old doctrine of the Brahmins in the time of the Jewish economy—it is very old, but all the later authorities contradict that. I will read one of the latest authorities. This is Dr. Bevin, and he refers to older authorities.

Hon. Mr. WOOD.—What is the date ?

Hon. Mr. McCLELAN.—It is a recent date.

In the Philosophical Transactions for 1792, Mr. Hunter has stated that whatever time the contents of the honey bags may be retained, they still remain pure and unaltered by the digestive process. Mr. Polhill, a gentleman to whom the public are indebted for several articles in Ree's Cyclopaedia appertaining to bees, is also of this opinion. Messrs. Kirby & Spence do not admit this statement ; as the nectar of flowers is not of so thick a consistency as honey, they think it must undergo some change in the stomach of the bee. They are countenanced in this opinion by Swammerdam and Reaumur, the latter has observed that if there was a deficiency of flowers at the season of honey gathering, and the bees were furnished with sugar, they filled their cells with honey, differing in no other respect from honey collected in the usual way but in its possessing a somewhat higher flavour, and in its never candying, nor even losing its fluidity by long keeping. The same have been observed when they imbibe the juices of sweet fruits, for bees do not confine themselves solely to flowers and honey-dewed leaves ; they will sometimes very greedily absorb the juice of raspberries for instance, and thus spoil them for the table ; they also visit in crowds the vats of the cider and wine maker.

There is authority plain and explicit, and which refers to the ancient writers, and there was the expression of the "land flowing with milk and honey," just as if the honey flowed from the flowers, but the milk would have to flow too to carry out the comparison. It requires the use of the cow to secure the milk. The country only furnishes the food and the bee furnishes the honey in the same way. I am surprised at the attack my hon. friend is disposed to make on this insect—an insect that has from the earliest times attracted the attention of the world. Poets have written about the bee in classical literature. In the time of Pliny and Aristotle, and other classical writers, are referred to bees with admiration, and philosophers are said to have watched carefully the habits of bees

in order that they might gain points in philosophy and store their minds with knowledge, showing that the bees themselves, in some respects, are capable of teaching philosophers, and if so, are they not capable of teaching politicians ? Why should they not be, when you come to understand the anatomy of the bee ? The bee has more eyes than any of us, even my hon. friend from Prince Edward Island. They have five eyes, and their senses are all particularly acute, as we learn in these books we have been reading.

Hon. Mr. MACDONALD.—And a sting a well.

Hon. Mr. McCLELAN.—And I think it is a pity that their power of vision should be so interfered with that they should not partake of what they choose. If they stray over a line fence, or get into a country storekeeper's yard, and collect nectar from an old sugar barrel, this bill provides that there should be a penalty put upon their owner, and the doctrine of restriction applied. Why they should be prevented from roaming where they like, and getting what they want for the production of the honey, is something very remarkable. I think the tendency of putting these trifling amendments upon the statute book of the country is unfortunate, and it would be useful on the part of the government if they would provide some method by which such legislation would be reduced. It encumbers our laws, and renders them less effective.

Hon. Mr. VIDAL.—We are very much indebted to our hon. colleagues who have given us abundance of information respecting this insect, but really we have devoted as much time to it as is expedient when we consider that this is the first order of the day. Looking at the clock, it seems to me that it would be a wiser course to turn to more practical business. With all the store of information given to us, I have reached the conclusion that the bill, as it comes to us from the House of Commons, is the result of the observations and experience of the Ontario Bee-keepers' Association, persons who for a long time have been engaged in the production of honey, and are competent judges of what is required in order to obtain the end which they desire—that is preserving the superior quality of our

honey. The principal idea is preserving the reputation of our honey in foreign markets, so that, as in the case of our cheese, it will be a guarantee, coming from Canada where there is a law against adulterations, that the article is pure and of good quality.

Hon. Mr. SULLIVAN—It does not guard us against adulteration at all. Any one can take the honey afterwards and adulterate it after it comes from the bees. This is to prevent adulteration by the bees.

Hon. Mr. VIDAL.—I do not know what may be further proposed in the bill in the way of adulteration. We have before us the result of the observations and experience of a large number of persons fully acquainted with bees and their habits. They have time and again asked for legislation of this kind. It is not the first time it is brought before us, and it appears to me the wisest course would be to act upon the information which these experienced men have given us and take the bill as it has come from the other House. It is quite true I, myself, could suggest some alterations in the way in which the clauses are drawn, but at this period of the session it would be unwise for us, if the Bill is to pass at all, to make any alteration in it.

Hon. Mr. POWER.—The Senate had better abdicate its functions altogether.

Hon. Mr. VIDAL.—There is a vast difference between abdicating our functions and considering some amendments which are trivial and unimportant.

Hon. M. POWER.—I did not know the hon. gentleman's amendments were trivial.

Hon. Mr. VIDAL.—I merely suggest that the bill comes from a source which entitles it to our consideration, and that the principal opposition is from this Mr. Clarke. I have a very great respect for him, and join largely in his sentiments and feelings. He has been present at those gatherings and ably advocated his own views, and the association has refused to accept his conclusions, but have agreed in asking that Parliament shall grant protection to their industry. I merely make the suggestion, to meet the objections which were at first proposed, that we might better take it as it is.

Hon. Mr. FERGUSON—There is a good deal in what the hon. member from Sarnia says. The bill, if amended here, would require to go back to the other House, and it is one which the bee keepers have taken upon themselves, the essential difference is altogether a matter of drafting, and, that being so, probably it would be better that I should withdraw my amendment, which I now do. My hon. friend from Albert emphasized the fact that this bill was not a government measure. True, it is not a government measure, but was introduced by a private member, but the Minister of Finance, the Minister of Justice, and the Minister of Inland Revenue, did what they could to pass it through the other House.

Hon. Mr. McCLELAN—The Finance Minister proposed an amendment.

Hon. Mr. FERGUSON—That was to improve it.

Hon. Mr. REESOR—I have watched very closely the remarks of my hon. friend who has just resumed his seat. I could not find that he urged a single argument in favour of prohibiting the use of sugar in feeding bees. The fact is that honey made from good sugar has taken the first prize in more than one exhibition and has been sold on the market. It was exhibited at an exhibition lately and took the first prize, and was sold in the market at the very highest price, and the dealers pronounced it to be equal to the very finest honey ever handled. What is the use of trying to gainsay that? You might just as well try to undertake to prohibit a dairyman from feeding his cows the most concentrated and most valuable food for the production of butter. If you are one of the old school you might do so. You might let them run in pasture probably six months and let them run dry, and object to their being fed at all with any concentrated food, but good dairymen will not do that. They feed the cows, in addition to the pasture, and in feeding them give such a mixture of food as will produce the most wholesome and hence the most profitable milk. We do not undertake to dictate to the dairymen how they shall feed their cows. Now bees make their honey almost entirely out of sugar, as pure as sugar can be found, and you want to prohibit that. We know there are seasons that affect the

pasture of bees just as much as they affect the pasture of cattle. There are seasons when there are not enough flowers within reach to enable them to fill their hives with honey, and then they are fed with good sound sugar. Take the granulated sugar and analyse it, and take the nectar that can be got from flowers and analyse it, and what do you find? According to the experience of chemists, you cannot find any perceptible difference, and yet you want to prohibit the use of that sugar for bees, but I think they should not be restricted in that way. They should make as much honey out of good sugar as they could find cells for. If the honey will sell—and it is proved that it does sell as readily as the best of honey, and takes prizes where experts are judges, against all the other honey shown—why should you prevent its being made? Of course, it is cheaper to allow the bees to gather honey themselves from the wild and cultivated flowers and from the blossoms of fruit trees, but suppose they cannot get enough, then you give them the sugar diluted a little with water so that they can gather it up, and they can make the very best of honey. It has been tested by experts, and they cannot find anything wrong with it, nor is there anything wrong with it, because all the foreign matter has been taken out before the bee stores it. There is something in the idea about the aroma of flowers, but there are bad flavours as well as good flavours, unwholesome as well as wholesome flavours, and you will find when the pure sugar is used, that the honey is just as good as when gathered from flowers, and you may have sufficient flavour with the best flowers to mix with the honey. If you interfere in this matter you may be injuring a growing business. If it be true that he who makes two blades of grass grow where one grew before deserves consideration, surely if you take sugar and allow the bees to convert it into honey, you have done something which is of value to the country. The markets must be the judge. There are only four or five men in Ontario who are advocating this bill, and none of them has ventured to say that honey made from sugar is deleterious to health. I therefore move that the committee rise.

Hon. Mr. POWER—I regret that the hon. gentleman who has charge of this bill

has not accepted the suggestion made from different quarters, that he should withdraw the bill in its present form and try and substitute some provision under the Inspection Act. The hon. gentleman from Kingston first made that suggestion and the hon. member from Albert and myself agreed with him. The hon. member from Kingston appeared to think that I said a good deal more than I did about it. I do not think there should be an inspector, but whoever puts the article on the market should be obliged to give his name with it. The hon. gentleman who has charge of this bill undertook to tell the committee that honey that had been made from sugar was adulterated. I do not wish to say that the hon. gentleman wished to mislead the committee, but when I want to find out what adulteration means under our law, I turn to the Adulteration Act and look at the definition of adulteration there. The Adulteration Act, section 2, says:

Food shall be deemed to be adulterated within the meaning of this Act,—

(1) If any substance has been mixed with it so as to reduce, or lower, or injuriously affect its quality or strength.

Hon. Mr. MASSON—The mixture of water injures it.

Hon. Mr. POWER—There is a percentage of water in all honey.

(2) If any inferior or cheaper substance has been substituted, wholly or in part, for the article;

(3) If any valuable constituent of the article has been wholly, or in part, abstracted;

(4) If it is an imitation of, or is sold under the name of another article.

Hon. Mr. MASSON—Hear, hear.

Hon. Mr. POWER—Is not this honey?

5. If it consists wholly or in part of a diseased or decomposed, or putrid, or rotten animal or vegetable substance, whether manufactured or not, or in the case of milk or butter, if it is the produce of a diseased animal, or an animal fed upon unwholesome food;

6. If it contains any added poisonous ingredient, or any ingredient which may render such an article injurious to the health of a person consuming it."

I do not find that this honey comes under any of these descriptions. Later down in the section I find that the Act shall not apply to this case:—

"If any articles of food, not injurious to the health of the person consuming the same, are mixed together and sold, or offered for sale, as a compound, and if such articles are distinctly labeled as

a mixture in conspicuous characters forming an inseparable part of the general label, which shall also bear the name and address of the manufacturer."

So this sugar honey does not come under the terms of the Adulteration Act at all.

The committee divided on the amendment, which was declared lost.

Contents—15. Non-contents—15.

The original amendment was withdrawn.

Hon. Mr. McCLELAN moved that the committee rise and report progress.

The motion was agreed to.

Hon. Mr. BELLEROSE, from the committee, reported that they had made some progress with the bill, and asked leave to sit again.

The SPEAKER—When shall the committee sit again?

Hon. Mr. FERGUSON—Tuesday next.

Hon. Mr. McCLELAN—I rise to a point of order. The motion which I made was that the committee rise and report progress, and why there should be a time mentioned to sit again, I cannot understand.

Hon. Mr. MASSON—If you want to report progress it implies that we must sit again. The Speaker has just said that the report made to him was that the committee rise, report progress, and ask leave to sit again.

Hon. Mr. McCLELAN—That was not the motion that was carried,

Hon. Mr. FERGUSON—The hon. gentleman explains to the House now that he intended to repeat, in effect, a motion which had just been declared lost. I never thought for a moment that it was not the usual rising of the committee. We know of only two ways in which a committee can rise, one without asking leave to sit again, the other to rise and report progress and ask leave to sit again.

Hon. Mr. McCLELAN—My hon. friend has not examined the rules very well. It is distinctly laid down that a motion that the Committee rise being defeated it is presently open for any member to then move another motion, which must not be the same, but that the Committee rise and report progress.

It is laid down in May and other authorities that is allowable. While there was not a majority in one case there might be in the other. My motion was declared carried.

Hon. Mr. VIDAL—The hon. gentleman cannot point to a single instance where that has been done.

Hon. Mr. McCLELAN—I am pointing to the rules of Parliament, should examine them, before making such statements.

Hon. Mr. VIDAL—Tell us the rule. The hon. gentleman knows very well that when a committee reports progress it implies that they must sit again.

Hon. Mr. McCLELAN—I know the contrary of that.

Hon. Mr. McKAY—The rule under which the hon. gentleman from Albert made his motion is this one—it may not be exactly the rule of the Senate at present, but it is given in Bourinot in this way:—

A senator may at any time move that the chairman leave the chair.

That motion was defeated.

Or report progress, or ask leave to sit again.

So the hon. gentleman's motion was right—

Hon. Mr. McCLELAN—Of course I am right.

Hon. Mr. McKAY—Only we did not understand it. Had we understood it we would have voted it down, probably, the same as we did the other.

Hon. Mr. DEBOUCHERVILLE—Supposing the motion of the hon. gentleman was not the same as reported by the chairman of the Committee, the motion was to report progress without asking leave to sit again, but the hon. member wants it to be referred back to the Committee on Tuesday next. It is sufficient for him to give notice that he will move that it be referred to Committee again on Tuesday next.

Hon. Mr. McCLELAN—Still it was an irregularity to which I wished to call attention. I suppose the chairman of the committee did not understand the motion and did not report it as it was made, and I find no fault with his honour the Speaker, but I have to

express surprise that the hon. senator from Sarnia, and other old members, should know so very little about the rules governing parliamentary procedure.

Hon. Mr. DESJARDINS—It was understood on this side that it was the ordinary motion to rise, report progress and ask leave to sit again. Had we understood it otherwise, we should have had a vote upon it.

The Senate then adjourned.

THE SENATE.

Ottawa, Friday 20th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

WINNIPEG GREAT NORTHERN RAILWAY COMPANY'S BILL.

REPORTED FROM THE COMMITTEE.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (32) "An Act respecting the Winnipeg Great Northern Railway Company," with amendments.

Hon. Mr. MACDONALD (B.C.) moved that the report be taken into consideration on Monday next.

Hon. Mr. DICKEY—I think it is my duty to explain the amendments which are made to the bill. By the Act of 1894 this company was obliged to construct a railway to the Saskatchewan River—a long distance—within two years from the passing of the Act, and the object of the bill was to obtain an extension of that time two years further, which has been granted; but it was thought proper, and it was ultimately arranged, that it should be passed with this amendment, to the effect that 50 miles of that distance should be constructed during the present year. That is the only amendment.

The motion was agreed to.

MONTREAL ISLAND BELT LINE RAILWAY COMPANY'S BILL.

REPORTED FROM THE COMMITTEE.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (56), "An Act respecting the Montreal Island Belt Line Railway Company," with an amendment. He said:—The object of this amendment is simply to renew the stipulation made in the former Act before commencing any work upon the elevated railway, which was a part of the undertaking, but not a necessary part. As the former Act gave power to make an elevated railway through Montreal, it was thought it should be accompanied by some provision which would require the parties to furnish a sum sufficient to satisfy the requirements of persons interested in Montreal and its suburbs before any action should be taken within the city. A certain sum is to be placed in a bank in order that there may be some sort of security to the parties whose rights should be affected by it.

Hon. Mr. BELLEROSE moved that the report be taken into consideration on Monday next.

The motion was agreed to.

YUKON TRADING AND DEVELOPMENT CO.'S BILL.

THIRD READING.

Hon. Mr. MACDONALD (B.C.) moved the third reading of Bill (G): "An Act to incorporate the Yukon Trading and Development Company of Canada, Limited." He said—There are several amendments which were made to this bill in committee which have been on the journals of the House since last Tuesday. An impression has got abroad amongst some hon. members that this bill asks for considerable power. The amendments do not bear out that impression. The principal amendments are as follows:—

(6.) The company may also acquire by lease, purchase or otherwise any exclusive rights in letters patent, franchises or patent rights for the purposes of the works and undertakings hereby authorized, and again dispose of such rights.

Page 2, line 17—Leave out from "rights" to "3" in line 27 and insert:—

(7.) The company may purchase, take over, or otherwise acquire from any other person or com-

pany, all or any of the businesses which the company is hereby empowered to carry on, together with all or any of the assets, franchises and property, real and personal, movable and immovable, of the seller or sellers thereof, subject to the obligations, if any, affecting the same, and may pay the seller or sellers the price thereof wholly or partly in cash or wholly or partly in fully paid-up shares or in partly paid-up shares of the company or otherwise, and also undertake, assume, pay or guarantee all or any of the obligations or liabilities of the seller or the obligations affecting the assets and property purchased from time to time.

The chief amendment to the bill relates to the power to issue debentures. Formerly the company had power to issue debentures up to five hundred thousand dollars: this amendment limits the issue to the amount of capital paid up, which is a very important matter. The bill was explained at the second reading.

Hon. Mr. POWER—This is the first time the bill has really come before the House for consideration, because every hon. member knows that at the second reading a private bill is not considered but is referred to a committee. This bill went to the Committee on Miscellaneous Private Bills. I wish to call attention to some of the powers given to this Company, which seem to be rather extensive. The second clause of the Bill says :—

1. The company may carry on throughout the Dominion of Canada and elsewhere—

That is pretty extensive to begin with—

—the business of lumberers, and all other business incident thereto or connected therewith, including the manufacture of any articles of which wood forms a component part—

That gives the company very extensive powers as manufacturers—

--and also other products made from wood or wood materials, and also the business of wharfingers, carriers, forwarders, shippers and vessel owners; and may for all or any of the said purposes, purchase, hold, lease or otherwise acquire any timber limits, licenses to cut timber, lands, buildings, docks, works, boats, vessels, vehicles, goods, wares or merchandise, and other property, real and personal, movable and immovable; and improve, extend, manage, develop, lease, mortgage, exchange, sell, dispose of, turn to account or otherwise deal in and with the same; and may establish shops or stores on the said lands; and may purchase and vend general merchandise, the product of mines, and real estate, and carry on farming and stock-raising; and generally do all such other things as are incidental or conducive to the attainment of the above objects.

So it would seem that practically the company is granted by this clause power to carry on, one may say, every kind of business in Canada and elsewhere. I think this House should hesitate before it undertakes to grant such powers to any company. I do not know who these gentlemen are. I know one of them, a gentleman here in Ottawa, and as far as I am aware he is not a very great capitalist. However, I have not finished with the enumeration of the company's powers :—

2. The company may purchase, or otherwise acquire and work, mines, mineral and mining rights, lands, hereditaments and chattels in the Dominion of Canada.

I think one of the amendments is to strike out "lands, hereditaments and chattels"—

—and may crush, smelt, reduce and amalgamate the ore to render marketable the produce, and may develop the resources of such mines, and may crush, smelt, reduce and amalgamate the produce of any mines whether belonging to the company or not.

They not only can mine but they can treat the ores afterwards—

3. The company may also construct, or aid in and subscribe towards the construction, maintenance and improvement of roads, tramways, docks, piers, wharfs, viaducts, aqueducts, flumes, ditches, quartz mills, mills, ore houses and other buildings and works which are necessary or convenient for the purposes of the said company :

4. The company may also construct, charter and employ vessels for the purposes aforesaid, and for the purpose of transporting the produce of the mills, mines and works to any place or places within Canada or elsewhere :

5. The company may also erect, use and manage works, machinery and plant for the generation, transmission and distribution of electric power and energy, and acquire by lease, purchase or otherwise any exclusive rights in letters patent, franchise or patent rights for the purpose of the works and undertakings hereby authorized, and again dispose of such rights.

Now the powers given in that sub-clause are quite sufficient for one company—

6. The Company may also purchase or otherwise acquire any business within the objects of the Company—

That is, any business at all you may say—

And any lands, property, privileges, rights, contracts and liabilities appertaining to the same; and may let or sub-let any property of the company, and sell and otherwise dispose of the business, property or undertaking, or any part thereof, for such consideration as the company thinks fit, and in particular for shares, debentures or securities of any other company having objects altogether or in part similar to those of the company.

This is truly an omnibus company.

Hon. Mr. ALMON—What is the capital stock of the company?

Hon. Mr. POWER—"The capital stock of the company shall be \$500,000." There is nothing in this bill to indicate where the company shall operate. It is true the title calls it the Yukon Company, but there is nothing whatever to indicate that its operations are to be confined to British Columbia and the Yukon Territory. In fact, this company can operate all over the Dominion at any rate.

Hon. Mr. MACDONALD (B.C.)—Certainly.

Hon. Mr. POWER—It strikes me the powers given to this company are very extensive, and I regret that the committee to which this bill was referred did not limit their powers further than they thought proper to do. We have experienced in Canada in former years, and we are experiencing now, the evil effect of giving very extensive powers to corporations. There are companies in Ontario, the names of some of which are familiar to some hon. gentlemen, who got extensive privileges from the legislature long ago and whose operations are now regretted by a great many people in the older provinces; and I think that in giving those very extensive powers of acquiring lands, mines and rights and dealing with them, and transacting all kinds of business, we are, perhaps, storing up to ourselves, and to those who come after us, trouble in the future. It is not at all improbable that we shall be called upon later on to undo what we are doing now, and I think that this company should be obliged to define their objects. They should not be allowed to get powers to do every sort of business and to do it everywhere. They should be obliged to define their objects and their sphere of operations, so that we shall know just what we are dealing with. I do not propose to read very much more of the bill but there is another clause which strikes me as giving very extensive powers to the company:—

The directors of the company may from time to time, at their discretion, borrow moneys for the purposes of the company and secure the repayment of any of the moneys so borrowed, or any other moneys owing by the company, in such

manner and upon such terms and conditions as they see fit, and in particular by mortgage, pledge, hypothecation or charge of or on all or any of the assets and property of the company.

It gives them power to encumber their property and in that way, very likely, defraud their creditors, if they are so disposed. I really think, hon. gentlemen, that this bill, instead of being read a third time now, should be referred back to the committee, with instructions to limit its objects, and its sphere of operation.

Hon. Mr. MACDONALD (B.C.)—The head office of this company is to be in Ottawa. No doubt the bill gives a great many powers, but any single person in the country has this power to day. Any single person can carry on the operations asked for in this bill, and why should not the company be allowed to do the same thing? If they wish to carry on the business of mining and so on, why should not they be allowed to do it? Why curtail them in any way? The only danger is the borrowing power, and the debenture issue is limited to the extent of the paid up capital. Resolutions have to be passed to that effect and a special meeting of the shareholders called for the purpose and an annual meeting of the shareholders representing at least two-thirds in value of the capital stock of the company present, or represented by proxy. If I had had charge of the bill at the commencement I should have been more able to deal with it. Of course, the powers are very extensive, but they are harmless and do not hurt anyone. If those men wish to carry on all these things, why should they not be allowed to do so?

Hon. Mr. McCLELLAN—The bill struck me in the same way as it did the senior member for Halifax. It seemed to be rather exceptional in the granting of powers. My hon. friend intimates there should be no distinction between private individuals and corporations, but there has always been considered a very wide distinction. An individual responsibility is entirely different from a corporate responsibility which is obtained by their corporate powers. In fact, corporations have often been spoken of as "bodies without souls," and, in granting to them powers for the carrying on of any business, the businesses for which they have asked legislative help should be at least—

they are not always, perhaps—clearly defined and restricted. That has been the policy heretofore to a very large extent, not, perhaps, the extent that it ought to have been. I quite agree with the sentiments expressed by the senior member for Halifax, that in the future there will come a time when it will be discovered that the country has suffered very much from the extensive power which has been given to corporations, particularly the bonding power in relation to railways. I have always protested in my feeble way against the extent to which railways have been allowed to mortgage by bonds. The cost of constructing roads is reduced to less than one third what it was thirty years ago, yet the bonding power has gone in the other direction, and very often now, under the statutes which we pass in this parliament, we allow them to present to the capitalists of the world a law by which a man can place upon his own property a mortgage in extent about threefold the actual cost of the property. It seems to me a very ridiculous thing. It may aid them in the market where the whole circumstances of the company and its property are not thoroughly understood, but it is carrying out a piece of deception, and I am not sure how far the government fails to become *particeps criminis* in granting such legislation. However, it only shows that we should be very particular in framing these Acts of incorporation, and we should not go to extraordinary limits. It seems to me that these corporators framed this legislation for themselves. I have no interest in opposing this bill any more than any other bill, but I think it is much too extensive in its provisions.

Hon. Mr. McCALLUM—It strikes me this company is having a great deal of power—a great deal more than should be given to any individuals in this shape. My hon. friend says any one man can have these powers. It is true any man can engage to do anything he wants engage to in. But what is this? This is a limited liability company. If I go and engage in any business, everything I have got in the world is liable to pay the debts of that undertaking, but it is not so in this case, and I say that we ought to be careful to see what we do before we give this extended power. I do not know where they are going to operate, but, if they are going to operate

in the Yukon country and British Columbia, the government of this country might have to pay a nice price yet for what the company do on this limited capital of \$500,000. I do not propose to object to any individuals getting a fair bill to engage in any undertaking to improve the resources of the country, but I question whether the company can do very much improvement if they are going to engage in all these branches of business. Therefore I should like to see the bill go back and be amended to give the company reasonable powers, and not such powers as are given under this bill. If anybody will move to have it referred back to the committee I will support the motion.

Hon. Mr. BOULTON—While I think there is a good deal in what the hon. gentleman who introduced this bill has said, yet it is a peculiar measure. This is a bill incorporating a company for trading in the Yukon district, which is cut off entirely from the rest of Canada. There is no means of communicating except by the Yukon River in summer time. In the winter time they are completely isolated from the rest of the country, and there may be a justification in applying for and obtaining what is in this bill, that possibly the sense of the House might not accede to under other circumstances. That is the way it presents itself to my mind, with all due respect to what I call the reforming ideas of the hon. gentleman who preceded me.

Hon. Mr. CLEMOW—If the argument of the hon. gentleman who has just spoken amounts to anything, this bill ought to be confined to the Yukon district. There should be some limit. The exception is well taken, and I think the powers given are excessive. For instance, they apply for permission to use electricity. They can go anywhere in the Dominion or elsewhere and employ electricity as a motive and lighting power. I have no objection to their using electricity in their own business in the Yukon country, but I do think it should be restricted and not applied as generally as it is in this bill. They can do anything. It is true private individuals can engage in as many branches of business as they please, but we all know these limited liabilities companies are only liable for the amount of their stock, which is often a bagatelle, and therefore they can go and transact business

to a large amount, and the public know nothing about it. I think it is the duty of the Government and Parliament to restrict their powers as much as possible. One should not, of course, restrict them to prevent their carrying on legitimate business, but they should be confined to a certain area in their operations. But to say that they can build railways and do all other acts asked for in this bill, is going too far. The measure should be reconsidered. I find lately several bills have been introduced of this character, not so very important or exaggerated as this one, but still in this direction, and some, to my mind, that ought to be submitted for consideration by the local legislatures. It is time that this matter should be taken into consideration by the Senate, and by the committees of the Senate, in order that we may have some well-defined principle in the future in dealing with bills of this description. It would be just as well to refer this bill back for further consideration in order to consider these points.

Hon. Mr. MACDONALD (B.C.) I will withdraw my first motion and, as hon. gentlemen require more light on this bill, I move that it be referred back to the committee for further consideration.

The motion was agreed to.

REVISION OF THE STATUTES BILL.

AMMENDED IN COMMITTEE.

Hon. Mr. FERGUSON moved the third reading of Bill (J) "An Act respecting the Revision of the Statutes."

Hon. Mr. POWER—I was struck by the fact that this Bill needed some amendments and as, unfortunately, the leader of the government was prevented by illness from attending here or at his office, I was unable to see him, but I had an interview with the Minister of Justice, and I understand that the Minister of Justice has communicated with the hon. gentleman who has charge of the bill. That hon. gentleman informs me that the impression I got from my interview with the Minister of Justice was correct, and that he is willing that certain amendments should be made to this bill. The substance of the amendments which are proposed is that the Governor in Council may appoint honorary commissioners who may attend at the meetings of the commissioners

and whose services must be entirely gratuitous. That is to enable the Governor in Council to appoint the Minister of Justice himself, for instance, or any of the judges who may wish to go there, as honorary commissioners. They may attend the meetings of the commissioners and speak and vote, but they are not to be paid for what they do. There is a further amendment suggested, that the commissioners may report for the consideration of Parliament such changes in the law as they deem to be necessary. There are cases where there are inconsistencies in the law, and under the terms of the bill, as we have it here, the commissioners could not recommend to Parliament the removal of those inconsistencies. They could not recommend such changes in the law as would assimilate it to the law of England—in fact, they are simply, under the terms of the bill, as it stands now, authorized to use scissors and paste to cut out of the old Revised Statutes the portions which have been repealed and to put in additions and amendments which have been made since 1886. I suggested another amendment, but that did not meet with the approval of the Minister of Justice or of the department, and I am not going to press it. I move that the bill be not now read the third time, but that it be recomitted to a Committee of the whole House for further consideration and amendment.

Hon. Mr. FERGUSON—As stated by my hon. friend, the hon. member handed to the Department of Justice some suggestions which he had intimated to the hon. leader of the House, he intended to move at the third reading of the bill. The effect of the conversation I have had with the Minister of Justice is that two of the proposed amendments are believed to be an improvement and will be accepted by the department. I understand that the two which the hon. gentlemen has explained are the amendments which have been accepted.

The motion was agreed to, and the House resolved itself into a Committee of the Whole on the bill.

(In the Committee.)

Hon. Mr. POWER—There is another amendment which has occurred to me since, and I submit it to the committee. It will be remembered that when the First Minister

had this bill read the second time, he spoke of the intention of having the work done in a more economical way than it was done on a previous occasions, and I think the House quite concurred in the views expressed by the hon. First Minister at that time. The work to be done by these commissioners, of course, is not as difficult as the work done before, and the plan suggested by the First Minister would be much more economical and effective. He proposed, instead of having a number of highly paid commissioners from various provinces, to hand the work over to the law clerks of the two Houses, associated with some eminent legal person, and that, he thought, would be about enough. We would all be disposed to agree with the First Minister, and in order to guarantee that something of that sort would be done, this first clause requires amendment. This clause says that the Governor in Council may appoint three or more commissioners to collect, classify, &c. I think we ought to amend that and say, the Governor in Council may appoint commissioners not exceeding five in number. Probably the government would appoint only three, but there might be a change of government, and the people who come in might want to appoint several commissioners. I only suggest the amendment.

Hon. Mr. FERGUSON—I cannot say off hand whether the amendment would be acceptable. I do not, myself, see much objection to it, but it might be in contemplation of the Department of Justice to have a different arrangement—I do not urge it.

Hon. Mr. POWER—The first minister said that the government had in their minds—they did not appear to have made their minds up—to appoint a high judicial officer as the third commissioner and as chairman of the commission. At the time I did not know to what judicial officer the first minister referred, but I have since been informed that the reference was to a distinguished judge, who now numbers some eighty summers or somewhere thereabouts, and who is about retiring. While I approve of the general line taken by the first minister, I could not approve of the proposal to appoint a gentleman so advanced in years that it was thought advisable he should retire from the Bench. I do not think it would be good policy to put a gentleman of that kind at

the head of a commission where peculiar clearness and alertness of mental faculty are required, and I hope that when the government come to appoint a commission they will reconsider their intention upon that head and appoint instead some vigorous, active and energetic man. There are gentlemen in the department.

Hon. Mr. ALMON—In the Senate?

Hon. Mr. POWER—No, not in the Senate, but in the Department of Justice for instance—two or three of them, any one of whom would make a good commissioner, because nearly all our legislation passes through that department one way or the other, and if the Government of the day carry out their intention of appointing a judge as chairman, I think it would be desirable to appoint an active commissioner from the Department of Justice or some other portion of the public service—some man who is in touch with the present age.

Hon. Mr. FERGUSON—While the Government are very thankful to my hon. friend for his suggestions, which are no doubt very valuable, they will probably be desirous of retaining their executive functions in their own hands. I thought my hon. friend was about to go a little further and name the parties that we ought to appoint.

Hon. Mr. MACINNES (Burlington), from the Committee, reported the Bill with amendments, which were concurred in.

HAMILTON BLAST FURNACE COMPANY'S BILL.

THIRD READING.

Hon. Mr. MACINNES (Burlington) moved the third reading of Bill (69) "An Act to incorporate the Hamilton Blast Furnace Company."

Hon. Mr. McCALLUM—I do not rise to oppose this bill altogether. There is no doubt that the intention is to carry on operations under this bill which will be beneficial to the country but I think we are encroaching upon the municipal law of the Province of Ontario, where this bill is to operate. I will read from section 5, commencing at sub-clause "1"—

(1.) The company shall make due provision for, take care and dispose of all waters and drainage

to the extent it disturbs or interferes with the same, whether from artificial drains, natural streams or watercourses, which drains, natural streams or watercourses the said watercourse and raceway crosses, touches or interferes with, and which are in existence at the time of the construction of the said watercourse and raceway ;

(m.) All subsequent questions, disputes or complaints as to the constructions of new drains and as to the alteration, enlargement and change of existing drains and of natural streams or watercourses, and as to who shall make such alterations, enlargements and changes, and by whom the expenses thereof shall be paid, as also any complaint or dispute as to the manner or sufficiency of the compliance with the provisions of the next preceding paragraph, shall be inquired into, heard and determined by the Railway Committee of the Privy Council in the same manner as is provided for other matters to be inquired into, heard and determined by the said Committee under the Railway Act.

I may say when the First Minister was here I took the point, and I am sorry that he is not here to-day, because he thought it was well taken. I was in hopes that the hon. gentleman would put off the third reading of the bill until the leader was in his place, but he does not feel disposed to do it ; therefore I shall enter my protest against it. Now, as to the expenses of these matters, I think that should be left to arbitration. It should be left to the municipalities. I do not see why they should interfere with the municipal law of the province of Ontario in order to compel them to come here before the Railway Committee of the Privy Council. Of course, in the case of railways, they are under the control of the Dominion Government, but this is an innovation altogether. Now, this is not a railway bill, and I do not see why we are to put the municipalities, whoever they may be, to the trouble of coming here to the Railway Committee of the Privy Council, to decide who shall pay the expenses of these drains, or what proportion they should pay. That should be settled by arbitration. If they were considered by arbitration under the Railway Act, or any other mode, it would be satisfactory ; but here we are passing legislation in this House to affect the municipalities, and I want to see the bill perfect if it goes through. It is stated that we have not got jurisdiction. The provision in this section is taking the matter away from the municipality altogether. The next subsection reads :—

(n.) The authority herein given with respect to such streets, highways, and public places, shall

only be exercised subject to such agreement with respect thereto as is made between the company and the said municipalities respectively, and under and subject to any by-law of the councils of the said municipalities passed in pursuance thereof.

Why should we take the power to ourselves to interpret and to fix the compensation ourselves ? Why should the Railway Committee of the Privy Council do this ? Has not the Railway Committee of the Privy Council got plenty to do without loading themselves down with any grievances these municipalities have ? That is my reason. I am not going to divide the House on the bill. If the hon. gentleman does not choose to let the bill stand until the Prime Minister is in his place, very well. Probably the Prime Minister would amend it in some respects which would be satisfactory to the municipalities. He knows the municipal law, and I know something about it, and I know this is an encroachment on the municipal law of the province of Ontario, particularly where this has to go, and we have no right to do this, in my opinion.

Hon. Mr. MACINNES (Burlington)—I may state that this bill was placed under my charge and it came before the standing committee when I was absent and was put off until I returned. It came up yesterday before the Private Bills Committee and it was there discussed fully. All the merits of the bill were gone into by the gentlemen composing that committee, and the law clerk of the Senate was present, and I also, I may state, sent for the gentleman of the other House who had it in charge, Mr. McKay, the member for the city of Hamilton. The various clauses of the bill were gone into and thoroughly discussed, and after that discussion were passed unanimously. I may say that, with reference to the clauses of the bill relating to drainage and so on, I am informed they are only the usual powers given to companies of this kind. These drains are simply intended for the use of the company itself. They cannot go beyond their own works. It is not intended that they should interfere with any drains other than the drains requisite for the work of this company. I am perfectly satisfied that the bill is in order, and if the Premier was in his place he would confirm all I say concerning it.

Hon. Mr. McCALLUM—If we had his confirmation I would feel a great deal better

satisfied. There is no great hurry about it, I hope the leader will be in his place at the next sitting, and if the hon. gentleman would put it off until then, I would feel much better satisfied and so would the public if they had the assurance of the Prime Minister of this country that it was all right, because when I took the point he said the point was well taken as far as the municipality is concerned. However, if the hon. gentleman chooses to pass it I have no more to say.

Hon. Mr. MACINNES (Burlington)—I would be very glad to accede to the request of the hon. gentleman if I thought there was any necessity for it. I may say that I had a conversation with the Leader of the House with reference to it, and it was in consequence of some amendment which was suggested by the Law Clerk that the Premier made the remark which he did to the hon. gentleman from Monck, but I went to see the clerk and I satisfied him that there was nothing in the bill at all inconsistent with the law, and that there were no powers given to the company which other companies do not possess.

Hon. Mr. McCALLUM—I am not going to oppose it.

The motion was agreed to, and the bill was read the third time and passed.

IMPERIAL LIFE ASSURANCE COMPANY'S BILL.

THIRD READING.

Hon. Mr. POWER moved the third reading of the bill (64) "An Act to incorporate the Imperial Life Assurance Company of Canada."

Mr. McCLELAN—I do not rise for the purpose of opposing the motion, but this is a bill for the granting of corporate powers to another one of these institutions who sometimes claim to be philanthropic in their operations. One would think that the business of life insurance was sufficiently prosecuted now to ensure profitable dividends to its promoters, but it seems not, and it only indicates the large amount of profit that is taken out of the people of the country by these corporations. I rose particularly to make the observation

that I would be glad if the committee, to whom this bill has been referred, had in addition to the powers in the second clause in this bill, added a clause that the operations should be confined to people who have attained maturity or reached adult years,—years of responsibility, and that no future company should be incorporated with power to affect insurance upon the lives of those who are not able to transact business for themselves. During the last session of Parliament I had occasion, in the exercise of my judgment, to bring up the question of child insurance and to show in my humble way that I considered the extension of that system throughout the Dominion of Canada would be an injurious thing. I accomplished very little by that, excepting to draw down upon myself a very considerable amount of abuse from the life insurance companies and the periodicals which so ably represent their views and help them to prosecute their business. However, I am not sorry that I made reference to it, for perhaps some ultimate benefit may arise from my having done so. One thing occurred during the discussion last year, for which I am indebted to my hon. friend on my left (Hon. Mr. Scott) who inquired of the Government if in future these companies who make their returns would be required to indicate exactly the class of people so insured, that is to say, minors upon whose lives insurances have been taken. I am happy to say that that proposition was agreed to by the Government, and that that classification will in future be a part of the returns, and in consequence form a useful part of the information derived from the reports of the Superintendent of Insurance. If I accomplished nothing else by my efforts, I should not regret the cause I took. Hitherto all the information we got as to child insurance was simply what was implied under the head of "industrial assurance," if anybody can understand what that means, or what they intend it to cover. By expressing clearly that it means child insurance, the public will be at last informed of the extent to which that system which was pronounced last year by some honourable member as a very dangerous one, is being introduced into this country or not, and another thing which I may mention and which is a subject of congratulation on my part, I learn that one company, which started out in the prosecution of this business, has

abandoned it. That is an indication, at any rate, that even an incorporated company has sufficient conscientious scruples to abandon what it believes to have a bad influence. The result now is, as I understand it, that there are only two companies in the Dominion of Canada who are prosecuting this branch of insurance business. I make these observations, therefore, in order to set myself right on some things and to express my regret that I did not find in this bill a clause, which I should be very glad to see, that the company should be limited in their negotiations for insurance and in their taking of risks, to people who are capable of arranging their part of the contract.

Hon. Mr. MACDONALD (B.C.)—I should like to ask the hon. gentleman who has charge of this bill if it is purely an insurance bill of the ordinary kind? Exception was taken by the hon. gentleman himself to a word in the bill relating to the Yukon Company, giving the company power to transact business elsewhere. I see this company asks for the same power :—

The company may effect contracts of insurance throughout Canada, and elsewhere, with any persons or corporations on life or lives, and may grant, sell or purchase annuities, and grant endowments, and generally carry on the business of life insurance in all its branches.

It seems a good deal like the bill we had before us a little while ago.

Hon. Mr. POWER—This company is allowed to transact the business of life insurance alone, and there are several existing life insurance companies which do large business outside of Canada, in the United States and England, and it would not be fair to prevent this company doing business in the same way.

Hon. Mr. MACDONALD (P.E.I.)—I think it is the duty of the Senate to be careful in dealing with bills of this kind. We know it has been the experience of people in Canada that several insurances companies, especially life insurance companies, have been established within the past ten or twenty years whose stockholders lost very heavily. After the companies had been doing business for some few years, it was found that they were not making the profit which the directors or incorporators of the company had led the shareholders to expect. The shareholders

became dissatisfied, and the companies had to wind up, by means of which the shareholders lost a very large amount of money. Now, I consider it is our duty to be very careful in incorporating companies of this kind to see that there is a sufficient security given, and that there is a sufficient amount of money paid in to warrant them in going on with their business. In the Bill which is now under consideration the amount that is required to be paid in of the large capital which they have is very small indeed. When they have ten per cent of that capital paid up, they can go on with the business of the company, and it may be found after a time that many of those who have subscribed for those shares and only paid in ten per cent are unable to pay any further calls which may be made upon them, and in that way they lose their stock.

Hon. Mr. POWER—The company has to make a deposit with the Finance Minister of at least \$50,000.

Hon. Mr. MACDONALD (P.E.I.)—If they have to make a deposit with the Finance Minister, as stated by the hon. member, that is some security to the persons who take out policies in those companies, but the loss is to those who subscribe and become shareholders, and who can become shareholders by paying in a very small amount on the shares that they subscribe for, and, as they very often lose their money in that way, I think it is the duty of the Senate to be very careful in incorporating such companies, and to provide that a larger amount than ten per cent shall be paid in before the companies are authorized to go on with business.

Hon. Mr. ALMON—I think the House is under very great obligations to the hon. member from Albert for having last session brought before the notice of this House the impropriety of insuring the lives of children. We all know that evils have happened in the Old Country from the burial societies, where a person subscribed a certain sum, and got the money to pay for the burials of the children. Some time ago you could not take up a medical periodical without seeing the subject, and the law which allowed it, alluded to with the greatest disapprobation. That melancholy thing which happened in Ottawa a few weeks ago shows the immense amount of cruelty exercised towards children

even by their relations. As the trial of one of the parties is coming on, I will not refer further to that subject, except to say that when we realize that such cruelties can be perpetrated so as to shorten the life of a child in order to realize money on it, the sooner some law is passed preventing people insuring the lives of children, the better. I think no license should be granted to any life insurance company which has not a clause to prevent the insurance of the lives of children and infants.

The motion was agreed to, and the bill was read the third time, and passed.

THE PRINTING OF PARLIAMENT.

SECOND REPORT OF THE JOINT COMMITTEE.

The order of the day having being called,

Consideration of the second report of the joint committee of both Houses on the Printing of Parliament.

Hon. Mr. POWER said—I do not propose to move for the adoption of this report, although my hon. friend—who, I am sorry to see, is not in his place—generally asks me to second his motions, but I wish to call the attention of the committee to the fact that there seems to be some error in the report as it appears at page 234 of the minutes. The report is as follows:—

The Joint Committee of both Houses on the Printing of Parliament beg leave to present the following as their Second Report:—

The Committee recommend that Mr. D. C. Chamberlain, Accountant of the House of Commons, based upon a report of a sub-committee to examine into the various duties incident to the office performed by him, consequent upon the disbursement of the moneys for the service of the Joint Committee on the Printing of Parliament, that he be allowed and paid the sum of two hundred dollars per year, commencing from 1st March, 1896.

All which is respectfully submitted.

Apparently some words have been omitted, and before the House is called upon to adopt the report I think the language ought to be corrected. It does not make any sense.

Hon. Mr. SCOTT—It had better stand over till the other House adopts it.

Hon. Mr. MACDONALD (P.E.I.)—It may be an error in printing the report.

Hon. Mr. POWER—No, I have just ascertained that the error is in the report itself.

The order of the day was allowed to stand.

SOUTH SHORE SUBURBAN RAILWAY COMPANY'S BILL.

THIRD READING.

Hon. Mr. McMILLAN, in the absence of Senator Ogilvie, moved concurrence in the amendments made by the Standing Committee on Railways, Telegraphs and Harbours to Bill (36) "An Act to incorporate the South Shore Suburban Railway Company."

The motion was agreed to, and the bill was then read the third time and passed, as amended.

EDMONTON DISTRICT RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. PERLEY moved the second reading of Bill (54) "An Act to incorporate the Edmonton District Railway Company."

The motion was agreed to and the bill was read the second time.

Hon. Mr. PERLEY moved that the bill be referred to the Committee on Railways, Telegraphs and Harbours.

Hon. Mr. FERGUSON—I would suggest an amendment which should be considered in Committee. Sub-clause (c) of clause ten reads as follows:—

(c.) Construct, purchase, lease or otherwise acquire and hold lands, buildings and other erections for the purpose of supplying water for the use of its railways and branches and sell or otherwise dispose of to municipalities and individuals the surplus water produced from any of the works of the Company and not required for use in running the railways and branches and other works of the Company.

It would need to have the following words added: "Subject to the provisions of the North-west Irrigation Act." I merely call attention to that so that it may be considered in committee.

Hon. Mr. DICKEY—I shall take care, as chairman of the committee, that attention is paid to that suggestion.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, Monday, 23rd March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

A PERMANENT INTERNATIONAL TRIBUNAL.

MOTION.

Hon. Mr. BOULTON moved

That the Senate is of opinion that the time has come when the consideration of the formation of a permanent International Tribunal may with advantage be entered upon, with the view of affording the various nations the requisite security and protection from a constant liability to the most costly and destructive warfare.

He said: In bringing this motion before this House many hon. gentlemen may think that I am taking a very advanced position, that I am entering upon a new subject that perhaps should not emanate from a body like the Canadian Senate. However, I hope to convince hon. gentlemen before I have got through that it is quite proper, and quite in accord with the principles of our constitution, that it is quite in accord with the sentiments of the Canadian people, and that it is quite abreast of the times in bringing before the House a subject of this character. I may say that one of the motives that I had in bringing this subject before this House sprung from the fact that I was brought into contact with some open letters that were published, addressed to the Marquis of Salisbury, the premier of Great Britain, and as hon. gentlemen know, were written by one with whom we are all familiar, if not personally at any rate we are all familiar with his presence. He has resided in Ottawa a great number of years, in fact I believe he is a native of Ottawa, and has taken advantage of our library and of our reading room in order to employ his time and improve his mind upon the lines that he has laid down for his own guidance. Hon. gentlemen know that I am referring to our respected friend, Mr. Monk. Mr. Monk deserves great respect. Although the appearance that he presents to the eyes of the world is similar, we may suppose, to the appearance of the savants of the ancient

times, yet notwithstanding all that, he is one who is entitled to every respect, and any opinion that he expresses on a subject of this kind is entitled to respect by this hon. House and by the country at large. I may say that the deductions which he draws in the letters which he has addressed to the Marquis of Salisbury are the results of a lifetime of study of the Scriptures and of familiarity with the scenes in the holy land connected with them, and when he presents to us in the form of open letters that are addressed to the Marquis of Salisbury the studies of a life in the way he has done, they mark a new departure, I may say, in political life. The letters to which I refer are essentially political, in so far as they are addressed to a great statesman and in so far as they deal with political matters. In that respect we are perfectly justified in dealing with them from a political standpoint, and we are, therefore, justified in discussing the question as a political question. No one can fail to be struck with the fact that what is known as the Victorian era has been marked by the most marvellous results of advancement and progress, that the advancement and progress during the Victorian era has been of such a character that it marks it as a period distinctive in the history of the world. And when we recognize that we are approaching towards the termination of the Victorian era, we have a right to sum up and see what is the result of the marvellous progress and development that the world has seen during that era, and how far before its close an advance may be taken towards the consummation of some definite object that has its results in greater benefits to mankind generally. If progress and development and civilization and christianity do not advance the interests of mankind and the nations of the world, then it fails in its primary object, and in discussing this question I take that as my basis. I see, and we all see, that the sovereign whose name is attached to the Victorian era has reigned almost the longest reign that has been known on the British throne, and that her personal reign has been marked by the highest state of christianity, of experience, of political knowledge and of everything that goes to make a great and fine character, that she stands pre-eminently before the world and sets an example of all the virtues which it is desirable that the people of the world should emulate. Not

only the Queen in her own life, but in the bringing up of her family and in her family life, has shown an example that we may imitate from one end of the world to the other in its simplicity, in the beneficial results that her rule in her private family has exercised upon those who have grown up around her, who stand before the world as public examples of what a christian family may be brought to, of what virtues they are able to display and what usefulness and advantages they are able to develop in the interest of the nation to which they belong. Alongside of the Queen we have the Hon. Mr. Gladstone, who is approaching the years of a centenarian who has developed the highest type of christian development in his character, allied with great political power, that modern history has shown us. Next to the Queen, who has the greatest political experience in the political history of the world, the result of her long reign as sovereign, and one who has never neglected her duties as the head of the British Empire, Mr. Gladstone, I think, stands next, and no matter how much his opponents may have disagreed with him, everyone will acknowledge that all his acts, all the political efforts that he has put forth, have been guided from the highest principles that are supposed to emanate from a christian character. Then next to him we have Lord Salisbury, who is at the present moment at the head of the British nation as its political guide and ruler, and he is the representative of that phase of English family life that has for generations sent forth men fitted to cope with the political questions that have brought the British Empire to such great prominence, who have by their training been able to maintain a continuity of public policy that has all led to a certain end; and their great experience, backed up by the support of the nation, essentially democratic in its instincts, backed up by the intelligence of the nation, has brought Great Britain to the highest state of power and prestige that any nation on the face of the earth has ever yet attained. Co-operating with him in the British Government is the Hon. Mr. Chamberlain, who, unlike Lord Salisbury brought up as one of England's aristocracy, has sprung from the industrial classes of Birmingham, and he recognizes in the policy that he is now developing with regard to the extension of the world's commerce, with regard to the extension of the prestige and power of the British race,

he recognizes the present day facilities for the interchange of trade and thereby the multiplication of the advantages of our civilization to the advancement of the world, to the benefit of the world and to the general diffusion of prosperity throughout the world. These comprise at the present time the leading personnel of the Victorian era as it is drawing to its close, and we have to consider, as I said before, hon. gentlemen, what is all this leading to? What does it all lead up to? I am one of those who thoroughly believe that we are creators of destiny, that while we are creators ourselves, while we have the power of great creative faculties which is seen on every hand, there is a power, a higher power, that develops creative faculties in a different way, and I believe that we all are endowed with that genius that will lead up to and carry out the purposes of a greater Creator in the purposes that he may have in store for the world generally. Now, I should have mentioned in connection with Lord Salisbury's name and the Hon. Mr. Chamberlain's name, another great name on this continent, who probably has exercised his influence in a marked direction, and that is the late President Lincoln who stood at the head of the United States nation and who guided the United States people through their civil war between the years 1860 and 1864. He will always rank high in history for the principles he enunciated and for the faithfulness he displayed in carrying out those principles. Those are prominent examples of christian leaders of public influence, leading their nations in the direction of paths that they think they should be treading. Now, hon. gentlemen, it is within the Victorian era that our railways have been developed, that our steam power has been developed, that our telegraphs have been developed, that our electricity has been developed; it is within the generation of these living men, some of whom I have referred to. All these have come upon the world as new factors, entirely new factors above all the factors of the centuries and ages that have gone past, and these railways, telegraphs and electricity and telephones and all these mighty powers have put us in a position to accomplish what it was utterly impossible for the past ages to have accomplished, what was not within the range of possibility fifty years ago, and when we come to think that the first railroad was projected on this conti-

ment, I believe in Boston, in 1827, and that the first steamboat crossed the Atlantic in the present generation, that the United States by themselves I believe have to-day more railroad construction than all the rest of the world put together, that Canada has added its thousands of miles of railroad to the interchange of trade, that the people of Great Britain own the vessels and the ships and the navies which are greater than all the rest of the world put together—at least if they are not perhaps greater than all the rest of the world, they are very great and powerful. It becomes apparent that these two English speaking nations, acting together exercise a powerful influence upon the destiny of the world. We come now to the subject that I have undertaken to deal with, and it is for the House to realize in what path their duty lies. We all recollect how a very short time ago the world was shocked at the massacre of Christians in Armenia. How it went forth that the Turks, under Turkish misrule, were bringing destruction upon a Christian population, one of the most ancient Christian populations of the world in that Asiatic province. Most people turned their eyes to Great Britain to put a stop to those massacres. Most people thought it became the imperative duty of the people of Great Britain and the British Government to enter, like the Crusaders of old, and put a stop to a condition of affairs which was proceeding under Turkish rule. I have no doubt that if conditions had been such that the British Government could have undertaken it without fear of raising a greater trouble and creating more bloodshed, the spirit was there and willing to undertake the task, but we immediately observed specks upon the horizon which showed a jealous spirit, or whatever spirit it was, on the part of powerful nations, which acted as a decided check upon Great Britain undertaking the task. We saw that in consequence of a minor dispute over the boundary of Venezuela, the president of the United States showed that there was a possibility of the United States making that a *casus belli*. Then in another remote part of the world, the Transvaal, in the interior of Africa, we saw that the Emperor of Germany was disposed to make a *casus belli* with Great Britain there, and added to these was the jealousy among other nations as to the advisability of permitting Great Britain to get a foothold in Armenia.

All this operated to permit a continuance of the present state of affairs. Great Britain was checked in any power that she might have possessed in redressing those grievances and putting a stop to those massacres. Hon. gentlemen will agree with me in saying that it is most desirable that such a condition should not continue to exist, that there are certain things that are due to our human instinct which should teach us that we have a duty to perform in order to remove any obstacles that may exist in the promotion of such a worthy object as was contemplated during the last four or five months. The very moment that the Imperial government was attacked for not taking that position with regard to the Armenians, what was Lord Salisbury's answer? "We must either act with the nations or we must act against them. We cannot act singly and lay ourselves open to be attacked by the nations in undertaking a task of that kind and bring more trouble than we are trying to remove. If we cannot convince nations that it is right that we should go in and protect the Christians in Armenia, then we cannot undertake the task." The object of establishing an international tribunal is to make the whole of the nations responsible for the conduct of such cases as that. When Great Britain found that Germany was inimical in consequence of the Transvaal incident, she was thrown into diplomatic correspondence with France and Russia, seeing that it was absolutely necessary in order to carry out her policy, which is a policy of progress and development, disseminating sound principles of government throughout the whole world, and in order to find allies she sought them in Russia and France showing the necessity of a tribunal of some kind, partial though it may be. Recent events of the past week or ten days have shown us a similar state of affairs. The Imperial Government, which has for many years occupied Egypt for the advantage of Egypt in its progress and civilization, to plant in that ancient kingdom the principles of good government, finds that a new state of affairs has arisen. Italy, a weak nation has marched into Abyssinia and has unfortunately been seriously defeated to the disturbance of the savage tribes in the interior and it is not desirable that those savage tribes should be allowed to get the upper hand of one of the European nations. It is not in the interest of civilization, it is not in the interest of the Christ-

ian nations of the world that anything of the kind should be permitted.

Hon. Mr. POWER—Does not the hon. gentleman think he is using strong language in characterizing the Christians of Abyssinia as savage tribes?

Hon. Mr. BOULTON—I draw a distinction between Christians and heathens. I am referring to the tribes of the interior. They are led by the Dervishes and are fanatical to a degree.

Hon. Mr. POWER—The Italians have not been fighting the Dervishes.

Hon. Mr. BOULTON—No, but the trouble has aroused the Dervishes in the Soudan. I was not speaking of the Abyssinians, but of the Arabs in the Soudan district. The defeat of Italy was arousing their enthusiasm and bringing them to the front once more, in order to upset all the progress and civilization that has been accomplished during the last 25 years, notably the suppression of the slave trade and the opening up of commerce. It became necessary for England once more, in the wisdom of the British Government, to open up the Soudan, but without the support of the nations of Europe she could not undertake the task in consequence of her international obligations in Egypt and she sought the alliance of the Dreibund, Italy, Germany and Austria, who have supported her in undertaking the advances into the Dugola district and the Soudan in the interests of Egypt, and the extension of the boundaries of Egypt and for the purpose of extending the spreading of civilization in that region. No one can deny for one moment that it is part of the duties of Christian nations to diffuse civilization as far as it is possible for them to do so, to give heathen nations in the heart of Africa and elsewhere the advantage of knowledge and progress and to bring them under control, so that their labour and their intelligence can be put to the highest use instead of exactly the reverse, as it is at the present moment. The advance of Italy, against those warlike tribes, has shown the Italian people the difficulty they have to contend with. Where Great Britain, backed by her moral prestige marched into Abyssinia without firing a

shot twenty-five years ago, Italy has suffered severe losses. England has marched twice to Kumassi, on the west coast of Africa, without a shot being fired.

Hon. Mr. ALMON—It was not so in the first instance.

Hon. Mr. BOULTON—It was, practically.

Hon. Mr. ALMON—No, indeed. Very many shots were fired there.

Hon. Mr. BOULTON—The first advance was not quite without firing a shot, but it was practically a peaceful advance, and the last has been essentially so, and a very large district of Western Africa will now be brought within the influence of civilization as developed by the Imperial Government wherever it goes. These are all advantages that cannot be lost sight of, advantages that are sought for by advanced minds and advanced thinkers on lines similar to those laid down by our venerable friend, Mr. Monk, in his letters to Salisbury. Hon. gentlemen know that where there is union there is peace. In the past history of Great Britain, upwards of a thousand years ago, there was what was called the Heptarchy and those seven kingdoms were perpetually at war with each other. When the union was brought about, peace prevailed and progress and development followed. Then, again, when Scotland, England and Ireland were separated, there was disunion and fighting; when they became united there was peace. It was the same with India before England stepped in and planted the banner of civilization there. The tribes decimated one another, there was perpetual fighting, and famines and disasters were of frequent occurrence. Within the past two centuries that great population, amounting to 300,000,000 people, has been brought under the rule of Great Britain and now peace reigns within their borders, famines are impossible and great benefits are flowing from the development and progress that have there taken place in consequence of British power having planted its foot down and firmly and judiciously exercised control. In the same way, union in other parts of the world shows the beneficent results that have flowed from it. The next point that I desire to make in bringing this question before you is to point out the destructiveness of war at the present time.

Hon. Mr. PROWSE—We know that.

Hon. Mr. BOULTON—I dare say, hon. gentlemen, you know that, but I hope you will bear with me in order that I may develop, at any rate, what ideas I desire to propound.

Hon. Mr. DEVER—Give us the remedy.

Hon. Mr. BOULTON—The hon. gentleman says we know that, but perhaps he does not realize the full extent of the destructiveness of war at the present day as compared with what it was a quarter of a century or half a century ago. He does not know, or he probably knows and does not realize, the enormous amount of destruction that can be wrought to-day upon all that the world has created as compared with half a century ago. It is when we contemplate the tremendous destructiveness of modern war engines that we can realize what an advantage it would be if conditions could prevail that would bring those under control. Hon. gentlemen can realize that the world depends upon its cable communication, it depends upon its powers to sail the seas with commerce, that the British nation depends entirely upon the importation of food from abroad in order to support its population. The people of this continent largely depend for their means of support upon their power and ability to transport that food to markets abroad. And so it is in connection with all the nations; and if this commerce were suddenly brought to a stop, if our cable communications were cut off, if privateers were to destroy the commerce, if our canals and other avenues of commerce were destroyed by dynamite, our railways and telegraphs cut off and other powers of destruction exercised, you can see how important it is for us to consider the advisability of bringing under control, in some way or other, this tremendous power in order that it may be averted, in order that chaos may not rule, and that the benefits of progress and civilization during the Victorian era may not be obliterated as has so often been the case in the history of the world, when ancient types of civilization have completely disappeared. Now, hon. gentlemen, I will read to you, so as to embody in this debate, the letters that have been addressed by Mr. Monk to the Mar-

quis of Salisbury, and to which I have already referred. They are, I think, worthy of consideration.

Several hon. MEMBERS—Dispense! Dispense!

Hon. Mr. POWER—I think that is a chestnut.

Hon. MACDONALD (B.C.)—This is too much.

Hon. Mr. BOULTON—They are worthy of being perpetuated in the annals of our legislation.

Hon. Mr. DEVER—Better not—dispense!

Hon. Mr. BOULTON—These are open letters to Lord Salisbury, and as such, they are political documents. Although written by a private individual, it does not make any difference. They are ideas that are worthy of consideration, and as such, are worthy of a place in our Debates. Let them go for what they are worth, but at the same time, if hon. gentlemen have read these letters, they will be convinced that there is a great deal behind them, and that they do represent the research of a lifetime of what is, I believe, an earnest man. They can, by no possibility, do any harm, and they may do good. If they are founded upon right principles, it is impossible that they can do any harm, and if they are founded upon wrong principles, still they can do no harm.

Hon. Mr. MACDONALD (B.C.)—If the hon. gentleman will give us the replies of Lord Salisbury, I think that will satisfy the House, and we will see what he says about it.

Hon. Mr. BOULTON—I do not want to impose these letters upon the House, if hon. gentlemen wish to dispense with them.

Hon. MEMBERS—Dispense.

Hon. Mr. BOULTON—As nations have combined in union for the purpose of peacefully developing the resources within their bounds, for the purpose of taking their part in the advancement of our Christian civilization. Mr. Monk lays down the broad principle that in a similar manner the various nations of the Christian world can form themselves into a new nation with

the capital in Palestine. Such a union is no more utopian than the confederation of British North America was no doubt at one time declared to be—than the consolidation of the British Empire is declared to be to-day in the interest of peace and progress. That union of nations is being gradually developed now and at the present moment we have the very best evidences of it, as I have said before, in the formation of alliances such as the Dreibund, and other alliances which are perpetually taking place and perpetually changing again. It is only an extension or a permanency of that same principle that is here sought to be developed and in that respect it can very properly commend itself to the wisdom of hon. gentlemen who compose the Senate of Canada. So far as Canada is concerned, she has a direct interest in anything that will insure her possible development and progress. We are peculiarly situated, more so perhaps than any other nation, in so far as we have a frontier between our own country and the neighbouring country of 4,000 miles, that on each side of this frontier are situated cities and commercial interests that in the case of a destructive war would be entirely or very largely destroyed. We should always be prepared to stand at the back of the people of the United States in upholding that which is right, but at the same time we must always be prepared to defend the integrity of our own country. I have no fear as to the ultimate result in case of an attack, though I am happy to think there is not much likelihood of it. I believe that Canadians have the ability to defend themselves, and if our country should ever be attacked, we would not only within ourselves be able to show our capacity for self defence, but would be backed up by the power of the British Empire, and there can be no doubt as to what the ultimate result would be. But while we may have that feeling of confidence in ourselves and of the power of the glorious empire to which we belong, yet there is that absolute knowledge that in the progress of war where the passions of men are aroused and where destructive engines of war are brought to bear, it would be utterly impossible to prevent the devastation of everything we have created and developed during the past half century, and our neighbours would suffer in the same way. The same power that they possess to come over here and destroy cities and

towns and public works in our country, would enable us to cross the border and do the same thing on their side, and, therefore, having a community of interest in that respect, and, as the destruction would be mutual, that the good sense of the people who speak the same language and are sprung from the loins of the same nation, should look upon that result with equanimity, I cannot believe, and it need not be regarded as a factor in the national progress of this continent, which is likely to move on a higher plane. There has been a movement in Great Britain, and there has been a movement in the United States on the same lines that I am laying down here to-day. Hon. gentlemen will recollect that a deputation came over from Great Britain, composed of a number of members from the House of Commons, and presented a petition, signed by a very large number of members, to initiate the principle of arbitration between these two great nations. The progress of that idea, I am happy to say, shows signs of vitality, and I see of late that a call has been issued for the purpose of calling a meeting from all over the United States, in order to develop still further that idea. I will read a telegraphic despatch dated Washington, 18th March—last Friday—as follows :

WASHINGTON, 18th March.—In view of the fact that a wide spread desire has been manifested, both in the United States and Great Britain, for the establishment between these two countries of a permanent system of arbitration, a call has been issued for a national conference, to be held at Washington city, on Wednesday and Thursday, April 22nd and 23rd next, to express the general conviction that such a system of arbitration should be speedily provided for by the proper authorities, and with the most comprehensive application practicable. Invitations have been sent to representatives irrespective of party or creed, in every state and territory in the Union. The combined membership in the two Houses of Congress is being taken as a general basis of numbers and apportionment. The call reads : " Assuming you share our belief as to the importance of the end proposed, we deem it unnecessary, in this communication, to enter into an extended statement on the subject. By repeated acts, as well as by repeated declarations, our government has appeared before the world in advocacy of international arbitration as a measure conformably to our own interests and genius, our institutions, as well as to the cause of general justice and civilization. To this effect, patriotism, philanthropy, statesmanship and religion have spoken as with one voice. In confining the present movement to the promotion of arbitration between the United States and Great Britain, we are not unconcerned for wider application of

the principle involved. But taking into consideration the importance and value of practical results, it seemed wise to concentrate our immediate efforts upon the attainment of a permanent system between the two great English speaking peoples." The signatures attached are those of fifty reputable citizens of Washington, New York, Philadelphia, Boston, New Orleans, St. Louis, and other cities. Among the signers are : Of Washington--Melville W. Fuller, Nelson A. Miles ; of New York, Seth Low, Dorman B. Eaton, Abram S. Hewitt ; of Chicago, George D. Swift, Marshal Field, Potter Palmer ; of Boston, Charles W. Elliott, William E. Russell, Robert Treatpaine ; Charles Francis Adams ; James Cardinal Gibbons, of Baltimore ; Timothy Dwight, of Yale University ; Charles Dudley Warner, of Hartford, Conn.

That information, which is conveyed to us in the press, shows that other people are working somewhat on the same line. Probably the gentlemen who are interested in that movement in the United States are taking a more practical view of the question, than I am presenting under the principle of a more extended international tribunal as being more within the range of practical politics at the present moment, but the very fact that a powerful community like the United States are calling together from every state in the union delegates for the purpose of discussing the very principles which I am now laying before this House, shows that I am not out of order or out of place in bringing up this matter here. It shows that we in Canada are supporting the people and government of Great Britain in every effort that the Imperial Government is making to dispense the blessings of civilization and Christianity throughout the world, and that the people of the United States are working on the same lines. Hon. gentlemen will agree with me when I say that it becomes the duty of all nations to try and bring under control heathen nations of the world in order that the benefits of our civilization may be extended to them, in order that the generations that are springing from their loins year after year and century after century may receive the advantages that we enjoy. That can only be done by the steps that are now being taken by the people of the mother land. Great Britain is the only one nation which appears capable of accomplishing that purpose with the most peaceful results, that is to say, the moral power of the Imperial Government such that she is able to bring heathen tribes under control with a less loss of life than apparently other nations can do. She has the spirit and the means within the British Empire to accomplish it. There is no doubt

about it that the British Empire, of which we as well as England have the honour to form a part, and no inglorious part, shines out before the world as the foremost nation through the younger nations that have been born through the enterprise of her people, and has developed a strength greater than any other empire that the world has ever known, a strength greater than any other nation has ever shown. The wisdom of the statesmen of Great Britain keeps abreast of the times. There is no new movement, no advanced opinion that is brought before the world, no matter how humble its source may be, but it is turned over and discussed on its merits for the benefit of the British Empire and for the benefit of the world at large, and therefore I humbly submit that although the views I have been expressing, and the sources from which I have drawn those views, very largely are such that hon. gentlemen may not be prepared to accord that consideration to them that perhaps I have given. Yet I hope that they will not think that they are unworthy the time and attention that I am now bestowing upon them. The only profession I can lay claim to is that of a soldier, but that profession is not incompatible at all with a desire for peace. I am not one who would advocate peace at any price. I thoroughly appreciate the words that Mr. Goshen introduced in his speech lately, that he was ready for arbitration, but woe betide the nation that was unable to back up their principles by their own physical power, and I think that we, as Canadians, have a right to take such steps as are desirable to defend our own country, to maintain our own integrity and to stand side by side with the British nation in upholding the honour of the empire, so far as our limited means will permit us to do it, and it is only by means of that kind that we can attain respect ; but while we may take most adequate means for defending our own country, we can at the same time let it be understood thoroughly by the world at large that it is only for the general advancement of civilization in order that we may develop that strength and stand by those nations who propose by their efforts to put down wrong and maintain right, and one of the most noble examples I think we have in the history of the present day, is the example of General Gordon, with which we are all well acquainted. He was an officer of great renown. He undertook the great work of bring-

ing out of chaos the Chinese people when their great rebellions among disunited provinces took place. He undertook the expedition to the Soudan where he offered up his life. He was not only a great soldier, but a great Christian soldier, and worthy of the imitation of any one who makes arms his profession, and no better or higher tribute can be paid to a man of that kind than to connect him with such ideas as I am bringing before this House, to show that while we have a duty to perform as soldiers in maintaining the power and integrity of our country, and supporting the principles that the British Empire is daily developing, that we are doing it in accordance with the highest Christian principles that the world knows. With these remarks, hon. gentlemen, I beg to present my motion for your consideration. As I said before, it may be that I have not brought it before you in as practical a way as I could wish and that it may be too advanced for our unformed ideas upon the subject. It may be modified, possibly, by some hon. gentleman, but I trust that the motives that have induced me to bring this motion before the House are of that character that I may be pardoned for introducing it in the manner I have done.

Hon. Mr. MACDONALD (B.C.)—On reading the notice of motion I had no idea that my hon. friend was going into the subject in the manner in which he has gone into it, and I thought my own duty would be entirely of a complimentary nature. But the speech of the hon. gentleman has been a rather triangular one; he has alluded to this very noble question of an international tribunal for peace between nations, and also gone into theological questions, giving interpretations of Scripture, which opens the door to a very wide argument. I am not going to dispute with him as to whether these interpretations are true or not, but they are at least open to discussion and doubt. Then, again, he has given us a belligerent speech as well—a jingo speech about what Canada would do and what Great Britain would do, which is entirely out of harmony with the proposal made to the House.

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. MACDONALD (B.C.)—I think the speech should have been entirely one of peace and good-will towards all men

and nations. Again, the hon. gentleman has gone into the diplomatic policy of the whole world. He has told us what nations have been doing for centuries, and things of that kind, whereas, we have before our eyes quite enough to show us that it would be a very good thing if nations could lay down their implements of warfare and live in harmony as they have been doing for a number of years now. However, laying all these matters aside, I am very glad to be able, at one time at least during this session of Parliament, to stand on common ground with the hon. gentleman. I think his sentiments are extremely high and noble, and should be pressed from one end of the world to the other. He could not bring forward a brighter example before this House of the universal benefits of peace than the Victorian era. We have had now an era of about forty years of peace. We can count, I suppose, from the time of the Crimean war. I would not count the small conflicts in India and Africa and other places, as they have not really been wars, so that from the time of the Crimean war we have had one long glorious peace, and who can measure the wonderful blessings of that not only to England but the whole world? The fact of being able to live in peace in our homes, to worship our God according to our conscience, and to develop and promote the arts of peace and the arts of commerce, is a very great blessing to everybody and under benign rule, during a long and glorious peace, England has made wonderful development and progress. The people have been able to live in tranquility and peace, with all the blessings which attend it, for the continuance of which all people and nations should earnestly pray. I am not going to point out to the House—it is not necessary to do so—the difficulties which may surround the presentation of this sentiment in higher quarters, where it might be properly communicated to the nations of the world. I will say this much about it, that it is impossible for a colony, an off-shoot of a nation, to bring the matter before the nations of the world. But how the hon. gentleman wishes the thing to take shape and how it can be pressed upon the attention of those nations who have the powers of peace and war, I do not know. However, the sentiment is a glorious one, and I hope it may do good, and perhaps open the eyes of some people to the blessings of peace.

Hon. Mr. DEVER—The motion before the House must recommend itself to all peaceful men who do not desire to hear war and rumours of war perpetually ringing in the air. Especially must it be pleasing to all who know well how disastrous war would be, if such a calamity could happen between the two great divisions of the English-speaking people. But I have not the slightest fear of such an event, because of the wisdom of those who know well that nothing but misery could result from such a war. However, the motion of the hon. gentleman is a beautiful dream. It is more than a dream, it is a grand thought. But here let me ask: Can this grand thought be put in practice? Would to wisdom that it could! But now comes in the bitterness to know that there is very little prospect of it, so long as avarice dominates the councils of the nations. Still, there is a hope that arbitration may yet take the place of strife, and I will vote for this hope, and also for the hon. gentleman's motion.

Hon. Mr. McCLELAN—I rise to say that I am pleased with the sentiments embraced in the resolution which the hon. gentleman from Shell River has presented to this Chamber, and I intend to say something about it. It is difficult to mention anything connected with a subject that is new, now that he has been so exhaustive in his treatment of it. However, I feel that a discussion of this kind upon the matter is not without its uses, and I rather differ from my hon. friend who has just taken his seat as to that. It is quite in the line of our duty, at this time in the history of the empire, that this second estate of the most important dependency of the Crown should express its views under circumstances which may have some good influence. We have all heard, during the last decade, of a good many projects more or less entangled and mixed up with matters having of a party tinge. We have heard about independence, for instance, as something which should be discussed; we have heard of union with the United States, or annexation, although it is not now a live issue, and very few of our people, I take it, are infused with that idea. Then, again, there is the project of imperial federation, which I believe is undergoing discussion at this moment in another place. I have, I confess, felt that while some of these are

proper subjects for discussion, there is another union which would be much more useful, a union, offensive and defensive, calculated to maintain the high standard of civilization and christianity which the world has reached. If the people of Great Britain and North America could become united in sentiment, in order that they might use their moral force in preserving the peace of the world, I think a very great gain would be obtained. If that had been the case, or if there had been less jealousy and ill-feeling on the part of some portion of the people of this continent towards Great Britain at the time the destruction of the Armenians began to take place, the combined moral forces of the people of this continent and Great Britain would have had very much to do in preventing that unfortunate massacre. In short, my reflections lead me to suppose that the influence of that sort of union would have been sufficient to have prevented that most atrocious and unfortunate occurrence which is still proceeding in Armenia. The hon. gentleman from Shell River referred also to the Transvaal trouble and the difference which arose with Germany. I think, however, that was subsequent. The message of congratulation sent by the Emperor of Germany to President Kruger occurred a good while after the Armenian atrocities had progressed, and that may not have been an element in the prevention of action against the Turks, but I think if the Venezuelan difficulty had not occurred at the moment it did, and when the forces that are inimical to the British people showed themselves so very strongly, even then Britain might have done very much more to protect the Armenians. However, the resolution which my hon. friend has ventured to place before the Senate comprises a very much more extensive question, and takes very much wider scope. He refers to the necessity of, what is called in the United States, an international peace court. How he purposes establishing that, how it is to be formed, or what are to be the rules by which the court should be guided, or such a council of arbitration should be controlled, he has not very fully gone into, but those things would be matters for consideration afterwards. I may say that an expression of opinion on this question is not confined to us, but that many leading men of Great Britain have been for a considerable time anxious for some sort of an

international arrangement which would promote the preservation of peace, and I think that the Venezuelan difficulty has developed throughout the United States opinions from leading men, not connected particularly with politics, as to the importance of this great question. I may say that only the other day—seven days ago—a memorial was submitted to the Senate of the United States by Mr. Frye, a senator from the State of Maine, having in view this very object. The memorial is as follows :

This memorial respectfully suggests it to be of paramount importance that something very definite be done in the immediate organization of a permanent international court of arbitration ;

Therefore, that until otherwise provided, a standing international board of arbitration be selected and appointed, to be composed of a member of the highest judicial tribunal of each of the following countries, to wit: Argentina, Austria, Belgium, Brazil, Great Britain, Chili, China, Egypt, France, Germany, Hawaii, Italy, Japan, Mexico, Orange Free State, Russia, Transvaal, Turkey and the United States ; the same to have power to settle any national or international disputes. And that it be held infraction of international law for any nation, after establishment of this court, to settle its disputes by the wholesale murder of war. The same to be sought and provided for by such legislation and such diplomacy as your honourable body can, in your judgment, wisely bring to bear on the subject.

GEORGE MAY POWELL,

** President Arbitration Council.*

I take this from the *Philadelphia Evening Star* of the 16th inst. As I said before, not alone in the United States but in Great Britain there is a growing tendency in favour of action along these lines. My hon. friend from Shell River has spoken a good deal about the preparations for war in these modern times. I read somewhere not long ago, in connection with that subject, that the army and navy equipments of the continental nations of Europe cost yearly a sum of not less than £250,000,000.

Hon. Mr. BOULTON—It rather exceeds that.

Hon Mr. McCLELAN—Possibly it does, and there is besides the tremendous navy that is owned by Great Britain. It seems too bad that such an enormous amount of treasure should be spent by these enlightened and Christian nations in equipping navies and armies when atrocities so fearful to be contemplated are going on before their

eyes in Armenia. Such, however, seems to be the fact, and my hon. friend has alluded very fully to the difficulties which beset Great Britain in lending a helping hand for the solution of that unfortunate matter. Great Britain would not be in that position if there was some recognized council of Arbitration, some way by which representatives of nations could sit down and discuss matters. Personal contact has great influence in bringing about a solution of difficulties. The century is passing and soon we shall have reached 1900 years since the birth of Him who is the founder of our Christian faith, and whose birth was heralded by the announcement of "peace on earth, good-will to man." For thousands of years before widespread slaughter and destruction to human life had been permitted. The world seemed to require it, for disciplinary or other purposes, but under the new dispensation it would seem as if sufficient time had elapsed when an entirely different feeling, one of charity and good-will, should pervade Christian and civilized people. Taking three great nations, we all know and recognize fully the wonderful improvements in the refined arts and polite literature of France, the solid advancement in metaphysical, chemical and other sciences of the German states, and the progress made by our motherland in bringing to light many important inventions which have been skilfully applied to magnify her wealth, importance and influence. Notwithstanding all these facts, those three enlightened nations are to-day increasing their expenditure on war equipments and they are unable to take any step to bring about those things which every Christian community seems to be so anxious to accomplish, that is to say, the prevention of atrocities such as those in Armenia. The old axiom of might making right is a wrong one. The strong and the powerful should have learned it appears to me, as nations and as individuals, that might should not necessarily be right, but that power should be used for the protection of the weak and raising those who are helpless. That, it appears to me, ought to be the result of nineteen centuries of improving civilization tempered by Christianity. I trust that the resolution, and the expression upon it by this honourable body, will not be without its influence in some degree, and that results will follow from it which will promote to some extent the objects which the mover has in view.

Hon. Mr. ALMON—I do not generally make any remarks on an abstract question brought before this House, which can lead to no practical result except mere words in the Debates, but as several hon. gentlemen have spoken on this question, I think I shall say a few words. It is a very beautiful chimera which the hon. gentleman has presented to us, but I do not think it is a fact. When the millennium takes place and the lion will lie down with the lamb and a little child will play with the cocatrice, what he wishes will take place, but the present moment is certainly not the time. What has been the effect of arbitration heretofore? In 1834 there was very nearly war between France and the United States on account of claims for United States vessels which had been taken during the troubles when Napoleon Bonaparte attempted to enforce the Milan Decrees. The United States brought claims against the French Government to indemnify people who had lost their goods. England, with that disregard to her own interests which she often shows, interfered and prevented war, and the matter was submitted to arbitration. It was decided that France should pay a large sum to the United States Government to indemnify persons who had been injured. The money was paid over and what has the United States done with it? Although this money was got from France, the merchants, whose claims had been presented, have never received any of it. It has been lying in the United States Treasury to this day, between fifty and sixty years. We all remember the Alabama claims arbitration. England paid the sum of money which was demanded. Claims of the most extraordinary nature were brought forward to get these funds, and yet after settling every possible claim that could be advanced, a large sum of money still remains in the hands of the United States Government. Would not common honesty have dictated to them that the unpaid balance of money should be returned to Great Britain? Then, again, only the other day we had the case of our sealers which were seized illegally by the United States. Our neighbours agreed to an arbitration at which the United States was represented as well as ourselves; it was decided that the seizures were illegal, and that our sealers were to be paid for the damages they had sustained by the detention of their vessels. Has any money been paid? The

money has not been paid, and what is the use of arbitration when you have to deal with persons imbued with the spirit illustrated in these three cases? Then it is proposed to buy Palestine; why should we buy Palestine? Palestine belongs to the Sultan of Turkey. Have we any right to say to England "rob Turkey of Palestine; get Turkey by the throat and oblige the Porte to sell Palestine?" I think we have not. The hon. gentleman who cries "Peace, peace," when there is no peace is not justified in making that proposition. I have a proposition to suggest as to the place where the arbitration should meet, and perhaps the hon. gentleman from Shell River might agree with me, and that is, Sable Island. I am a Nova Scotian, but I think I can speak in the name of my countrymen. Sable Island is, by geographical error, supposed to be part of Halifax County, and I think I can make the pledge that Sable Island will be given up for the headquarters of the Board of Arbitration without cheating Turkey out of Palestine. Any one who has been to Palestine will see that the people there are beggars and persons who have been transported there by charity; they are mere beggars and the scum of the world. Of course there are exceptions to that. The hon. gentleman alluded to Abyssinia and the Italians. My sympathies are entirely with the Abyssinians. I have great respect for the Italians, but I think they might have saved Italy the trouble they have got into by the invasion of that country. I will not go so far as to say that the Abyssinians were descended from the eunuch who was baptized by Philip, but no doubt their christianity dates as far back as that. I must apologize to the House for the remarks I have made, because I think the question cannot be properly discussed in this chamber.

Hon. Mr. BOULTON—From the tone of those hon. gentlemen who have addressed the Senate, I think probably it would be better for me to withdraw the motion rather than seek to commit the House to the principle. The object I had in view is served, and possibly as years go by the question may come up again in the Senate, when the views that are here advanced may be better known. With the permission of the House I shall withdraw the resolution.

The motion was withdrawn.

ALGOMA ELECTION WRIT.

MOTION WITHDRAWN.

The Order of the Day being called—

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before the Senate, a copy of the writ of election dated the 4th day of February, 1891, addressed to Harry Plummer, Esquire, as a returning officer for the electoral district of Algoma, in the province of Ontario, for the election of a member to represent the said electoral district of Algoma, in the House of Commons, for the present parliament. Also, copies of all letters addressed by the Clerk of the Crown in Chancery, Canada, or by any official of the government, to the returning officer for Algoma, at the last election. And also, copies of any letters from the said returning officer to the Clerk of the Crown in Chancery.

Hon. Mr. SCOTT—It is stated that in another place to-day an announcement will be made, in behalf of the government, as to the view they have arrived at as to the length of Parliament, and I see by the accredited organ of the government here it is stated :

As to this matter of the "life of parliament," it is understood the government will announce to the House to-day that it holds to the opinion that Parliament expires on the 25th April.

I presume that the announcement is, in the main, correct. If so, I shall withdraw my motion.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is quite correct. After considering this matter in all its phases, while there are many different opinions upon the question, it has been thought much better, in order to allay any feeling of distrust or want of confidence in the permanency of the Acts of the first session of this Parliament, and from the fact that, even if the Supreme Court should decide either one way or the other, it might be subject to an appeal to the Privy Council, and, therefore, keep the question in abeyance for some time, that it would be much better for the government to decide, and to announce at once that they do not intend to ask Parliament to sit after the 25th April.

The motion was withdrawn.

THIRD READINGS.

Bill (50) "An Act respecting the South Western Railway and the St. Lawrence and

Adirondack Railway Company."—(Mr. Bellerose.)

Bill (62) "An Act to incorporate the Canadian Peat Fuel Company."—(Mr. McKindsey.)

Bill (J) "An Act respecting the Revision of the Statutes."—(Sir Mackenzie Bowell.)

Bill (36) "An Act respecting the Montreal Island Belt Line Railway Company."—(Mr. Bellerose.)

CANADIAN HISTORICAL EXHIBITION BILL.

REFERRED TO A SELECT COMMITTEE.

The Order of the Day having been called :

House again in Committee of the Whole on Bill (F) "An Act respecting the Canadian Historical Exhibition.

Hon. Mr. MacINNES (Burlington) said :—I move that this Order of the Day be discharged and set down for Thursday next. In the meantime I propose that a select committee be appointed to consider the bill and to put it in a shape that it may be acceptable to the House.

Hon. Sir MACKENZIE BOWELL—I think my hon. friend is not pursuing a strictly parliamentary course in the motion he is making. He moves to discharge the order and set it down for Thursday. What order? This order will remain in precisely the same position it occupies now if it is brought before the Senate on the 25th of the month. He desires, however, in order to correct some errors that may be in it, or change some of the clauses so as to make the bill acceptable to those who have taken objection, that it should be referred to a select committee. Would it not be better to move that the House do not now resolve itself into a committee of the whole on this bill, but that it be referred to a select committee for consideration? Then it will come back from that committee amended. Then my hon. friend will move the third reading at the following sitting of the House, and we can consider the amendments. Otherwise he would be in this position: he would have a report upon a bill which stands for its third reading.

Hon. Mr. MacINNES (Burlington)—I am perfectly willing to accept the proposal made by the first minister, and I will make

my motion in that form. I move that the bill be referred to a select committee composed of the Hon. Messrs. Almon, Pelletier, Masson, Power, McKindsey, Poirier, McDonald (P.E.I.), de Boucherville, MacDonald (Victoria), Sullivan, McClelan, Vidal, Drummond, Ferguson (P.E.I.) and the mover.

The motion was agreed to.

SECOND READING.

Bill (48) "An Act respecting the Canadian Jockey Club."—(Mr. McKindsey.)

ONTARIO BUILDING AND LOAN SOCIETIES BILL.

SECOND READING POSTPONED.

The order of the day having been called :

Second reading (Bill "K") An Act respecting Building and Loan Societies and Loan and Savings Companies carrying on business in the province of Ontario,

Hon. Mr. POWER said :—With respect to this bill, which is one of some consequence, as the hon. gentleman in charge of the bill has been absent for a considerable time, I think if there is any hon. gentleman interested in it, that it would be well that it should be taken hold of and pushed along, because at this stage of the session, unless this bill goes down to the other House very shortly, it will have very little chance of becoming law this year. The bill is in the right direction, I think.

Hon. Mr. McKAY—I understand there is some serious objection to the bill as it is now framed, and that a number of senators have been written to in regard to it, and that it was intended that these communication should be submitted to the promoters of the bill before it was pressed, and that is the reason it has been put off from day to day. I have no doubt something will be done to render the bill unobjectionable.

The bill was allowed to stand.

BILLS INTRODUCED.

Bill (45) "An Act to incorporate the Schomberg and Aurora Railway Co."—(Mr. McKindsey.)

Bill (79) "An Act to incorporate the National Sanitarium Association."—(Mr. Vidal.)

Bill (63) "An Act to amend the Act incorporating the International Radial Railway Company."—(Mr. McKindsey.)

Bill (70) "An Act respecting the Toronto, Hamilton and Buffalo Railway Co."—(Mr. McKindsey.)

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, March 24th, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

YUKON TRADING AND DEVELOPMENT COMPANY'S BILL.

REPORTED FROM THE COMMITTEE.

Hon. Mr. McDONALD (C.B.), from the Committee on Miscellaneous Bills, reported Bill (E) "An Act to incorporate the Yukon Trading and Development Company of Canada (Limited)," with an amendment.

Hon. Mr. MACDONALD (B.C.)—It will be in the recollection of the House that this bill went to a committee on a former occasion, and that a number of amendments were made to it at that time. The former amendments stand, and there is a further amendment requiring the company to pay up ten per cent of their capital before they go into operation. I move that the amendment be taken into consideration to-morrow.

The motion was agreed to.

ADULTERATION OF FOOD BILL.

IN COMMITTEE OF THE WHOLE.

The House resumed, in Committee of the Whole, consideration of Bill (10) "An Act further to amend the Act respecting the Adulteration of Food, Drugs and Agricultural Fertilizers."

(In the Committee.)

Hon. Mr. FERGUSON—When the committee rose the other day the amendment which I had submitted was withdrawn and the bill as it came from the House of Commons was before the committee. So we have now before us the bill exactly as it came from the House of Commons. If we make one alteration it would be necessary to make others. I move that the first clause be adopted.

Hon. Mr. McCLELAN—The feeling manifested in the House the other day was that a bill like this was not properly an amendment of the Adulteration Act. It has been explained to the House, and I think it is pretty well understood, that the bill would be impracticable of enforcement, besides the objection to the principle of the measure. It has been already stated that it is an improper interference with the liberty of the subject, and that the promoters of it are in a sort of conspiracy or combination to interfere with bee-keepers feeding their bees with sugar. The amendment which was proposed at the last sitting would have made it an offence to feed sugar to bees under any circumstances; as I understand it, the bill as it is now before us permits the feeding of sugar to bees for the production of honey that is not to be put on the market. It is, therefore, in a different position now from what it was before, but the objection to the principle of the bill remains. I would call the attention of my hon. friend who promotes this bill to some of the absurdities which seem to be inherent in this measure. Is it intended to enact that the feeding of sugar to bees is an adulteration of honey? Is that the legislation which the Senate is supposed to put on the statute book? I appeal to the House if that is not a proper description of this proposed amendment to the Adulteration Act.

Hon. Mr. FERGUSON—When this bill came to us from the other branch of this Parliament the law clerk had called my attention to it and thought it could have been improved in its drafting, and he gave me certain reasons and I submitted these reasons to the House. I submitted also the amendment drawn by the law clerk, which, as he gave me to understand, would carry out exactly the same views as were contained in

the bill, but would make it fit better into the Adulteration Act, and would get over some of the difficulties that he saw in the bill as it was then drafted. I submitted that amendment to this House and my hon. friend from Albert was the man to rise and declare that it was not simply an amendment, but that it was an entirely different bill, and to oppose it most strenuously, as he did in several discussions we had upon the question. My hon. friend did a great deal to impress the House with the idea that my amendments, which I had submitted, were not proper amendments, and that they entirely changed the nature of the bill, as he said, using that word with great emphasis and force, and he argued very strongly against my view on that occasion. After the discussion had gone forward for a considerable time, and I found that the sense of the House was rather favourable to the bill as it came from the House of Commons, and as that bill entirely met the views of the bee-keepers, who were the promoters of the bill, I felt it was my duty to drop the amendments, because I felt that the bill, although it was not drafted as it ought to be, would nevertheless meet the objects intended. Now my hon. friend changes his ground.

Hon. Mr. McCLELAN—No, I beg pardon. Did I not admit, in the remarks I made, that the penalty for the manufacture of honey for one's own household has been eliminated from the bill now? He thinks my procedure to-day is not well founded. I am sure he does not wish to place me in a wrong position. The hon. gentleman will remember my objection as to its not being the same bill. The question was raised by my hon. friend who now occupies the chair, that we should have this reprinted and it was in connection with the re-printing of the bill, in its proper shape with the amendments, that my hon. friend the promoter said it was the same bill, and I rose and said that it was not the same bill. He has admitted that it was not the same bill, because now one of the objections that I took to it has been eliminated from it; nevertheless, I have other objections, which still apply to the bill.

Hon. Mr. FERGUSON— I repeat what I said, and I am inclined to emphasize it, that my hon. friend strongly and strenuously

ly and repeatedly objected to the amendments that I had made to the bill, and he said it was an entirely different bill.

Hon. Mr. McCLELAN—Yes, I did, and truly.

Hon. Mr. FERGUSON—Now I still think, if I were to consult my own personal opinion, that the amendments which I proposed to the bill would have been an improvement. They were not modifications, as far as I understood when I submitted them, effecting any change in the object or aim of the bill at all. The suggestions were made to me by the law clerk of this House and the amendments were handed to me, and thinking they were entirely carrying out the very same objects, I submitted them to the House with that view. My hon. friend afterwards discovered that by an amendment introduced in the House of Commons, and which belonged to the bill as it came here, the bee-keepers were allowed to produce sugar honey for their own use. I certainly did not think that was a point of great importance. The Bee-keepers Association of Canada came to Parliament asking that Parliament might pass this law in the interests of the business, and they wished this House to prevent the adulteration of honey by the feeding of sugar or syrup to bees and the production of honey in that way. Our House in its wisdom said "Yes, we agree with you, we will give you that. We prevent every person else from using or buying such honey as this, but we will give you the opportunity to make it for your own use." Well, I did not think it was important when I came to find that that was the only point of difference and as hon. gentlemen around me seemed to prefer the bill as it came from the House of Commons to my amendments, I was quite willing to drop my amendments and let the bill pass exactly as it came from the House of Commons, as the bill in that form had met with the approbation of the bee-keepers of Canada.

Hon. Mr. POWER—Would the hon. gentleman tell the House how many members there are in that Bee-keepers' Association?

Hon. Mr. FERGUSON—I cannot tell my hon. friend as to that; I did not count them. I can tell my hon. friend there are

about half a dozen local bee-keepers' associations in different parts of Canada, and there is an organization that covers the whole of Ontario—a highly representative body—and that association has spent some three or four hundred dollars of its own money in sending deputations up to Ottawa at different times for the purpose of getting this bill on the statute-book. As I have stated already to the House, but not when the House was so full as it is now, their object is to raise the character of Canadian honey on the market. They find that the bad name of United States honey is prejudicial to their business. They had last year exported about \$30,000 worth of honey, but the wholesalers in England who handle their honey say they cannot get as good a price for it as for European honey, on account of the bad name that is attached to American honey by reason of this adulteration that is going on in the United States. The bee-keepers of Canada want to pass this bill in order to keep the production of honey in a good position in Canada, and they want it also in order to show the wholesalers and consumers in Great Britain that they are doing their business in a proper way, and that they want to keep up the name of their product. The bee-keepers are practically unanimous about it. I have the report of the meeting of the bee-keepers, held in February last in Brantford. Mr. Pettit, the gentleman who was the delegate of the association to Ottawa—I did not see him—informing the gentlemen who are promoting the bill in the other branch of Parliament, reported on what he had done and the nature of the bill as it passed the House of Commons, and there was not a man in that association to find any fault with what he had done. On the contrary, a resolution was passed, and passed unanimously, approving of the bill that had been passed by the House of Commons, and which is now before us. Only one man objected, and his objection was that there had been too much money expended, that it had cost so much money, which was not of course affecting the bill at all. The bee-keepers of Canada are agreed upon a bill of this kind, which places no restrictions upon anybody but themselves—and they are almost unanimously agreed upon it. We know of one gentleman who is not connected with the association who is antagonistic to the association just now, who is not in favour of the bill. But we

know the organized bee-keepers of Canada want it, and I think we should pass the bill at their request.

Hon. Mr. McINNES (B.C.)—Unfortunately I was not present the other day when this bill was under discussion; consequently a great deal that was said for and against the bill which is now before us has been lost, so far as I am concerned. It is only a few years ago since we passed an Act by which cheese manufacturers were compelled to stamp their products, and it would be well if the same course were pursued in regard to honey. Let honey be produced from flowers, or glucose, or sugar, or any other substance, I care not what it is, but I would compel the producers to stamp the honey that they produce, and in a very short time they would find that if they produced an inferior article it would be unsaleable. I have very great doubt indeed that honey produced from sugar, glucose and other substances of that kind is as inferior an article as many pretend to say it is. I am very skeptical on that point, but in order to do away with the difficulty, I would suggest that if you are going to make any amendment at all to the Act, you should amend it in such a way as to compel every producer to have his stamp placed on the honey. If this bill is passed in its present form it will entail hardships upon those who keep only a few hives of bees and perhaps have a little surplus to sell. It would be very much better to withdraw the bill altogether and pass an Act for the purposes I have described.

Hon. Mr. OGILVIE—The only interested parties with whom I sympathize are the bees. I have always been led to believe that they were a pretty decent, honest class who did their work well, yet here it is proposed to take their character away from them altogether. We are told that they pick up sugar, molasses, glucose and other stuff and chuck it into their cells and call it honey. That is making them out to be as big rogues as some human beings, which is pretty hard on the bees. If the statement is correct that they can take molasses or sugar or glucose, especially glucose, and carry it to their cells and pass it off as honey it should not be allowed. People should not be allowed to sell adulterated honey any more than any other kind of adulterated material.

Hon. Mr. BOULTON—When the bill was up for discussion last week I did not vote upon it because I found there was a great difference of opinion between hon. members with regard to it. Many hon. gentlemen, for whose knowledge upon this subject I entertain very great respect, expressed views which conflicted with those who seek the passage of this bill, and I did not vote because I wished to take a little more time to think what was best in the interest of the public where opinions among hon. gentlemen were so evenly balanced. The object of the bill, as it presents itself to my mind, is to improve the character of an article of commerce that we have to export. The higher we can raise the character of that article of commerce the better prices will it command and the larger will be the export of it abroad. If we encourage the production of honey from sugar instead of from flowers, we turn the bees into so many manufacturers. We purchase the sugar abroad, feed it to the bees and they make it into honey and we export it. That is contrary to what we all conceive to be the natural method by which the bees gain their industrious habits. In the province of Manitoba we are happily surrounded at present with all that bees require to make good honey. We have abundance of flowers and we have poplar trees from which the bees make a fine quality of honey.

Hon. Mr. SULLIVAN—It is a bad kind of honey.

Hon. Mr. BOULTON—It has a characteristic of its own, and we know that honey made from Scotch heather has a peculiar value. If we grow buckwheat we have something out of which the bees also make honey. There is also white clover from which a very superior quality of honey is made. As the bill is aimed to improve the character of our honey, I think in the interest of the province from which I come I should vote for the bill as it stands. Furthermore, it is in accord with our present public policy. Whether it is right I cannot say, but in dealing with our produce in the western country we are subjected to the inspection of our grain by government inspectors. Instead of allowing us to find the best market according to their ability, we have to sell our grain subject to grading. Inspectors examine it

and say that it is No. 1 or No. 2 grade and we are subject to that restriction. If it is good for us in regard to wheat, it seems to me that the same principle applies in regard to honey. To a certain extent it is paternal legislation. Whether such legislation is wise or not I am not prepared to discuss, but it is at any rate in accordance with the public policy of the country at the present moment. For that reason I have come to the conclusion that it is better for us to pass the bill as it is, at the solicitation of a society whose members have interested themselves in the production of honey.

Hon. Mr. SULLIVAN—There can be on doubt of the desire of every member of this House to elevate the quality of Canadian products as much as possible. The only difference of opinion is as to the mode of doing it. The hon. gentleman from Shell River has signified what those who oppose the bill would wish—the grading or inspection of honey and the stamping of it with whatever peculiar character of excellence it might possess. There is very little difference chemically between these substances which have been mentioned in regard to their value as articles of diet. It has not been asserted by the hon. gentleman who promotes this bill that there is anything obnoxious, or anything calculated to injure the health in any way in this sugar honey, nor has it been shown that it injures the reputation of honey except that those gentlemen think it does. The fact of these articles being chemically alike shows that there can be no great differences between them with regard to their value as articles of diet. The word “adulteration” is associated in our minds with something wrongfully put in, which has the effect of debasing or corrupting an article. Now, the sugar used in the production of honey does nothing of the kind. There is no mixture. So much is this the case that in an ordinary debate I should put it to the chairman whether it is an adulteration or not. There is no mixing with any other article either cheapening or vitiating it in quality, so it does not go under the head of adulteration at all. It is simply giving sugar as feed to the bees. If that is held to be adulteration, and the same principle is to run through all our legislation with regard to the feeding of animals in this country, where would the end be? I think, therefore, as the bill is only in the interest

of a class, who have not shown any good reason for it, that it is improper legislation. Nobody has shown that anybody has been injured by the production of this sugar honey. If a man wishes to feed his bees with pure sugar, or glucose, and they produce from it an article which can be sold and which is not injurious to any one, I do not see why he should be prevented from doing so, or subjected to vexatious proceedings by any one who may have a feeling of animosity against him. I do not see that any civilized nation has such law, and I do not think that any legislative body which desires to preserve the excellence of its legislation would attempt to put such a bill as this on the statute-book. I am satisfied that the desired object could be accomplished by appointing inspectors to test and grade honey. I feel that this bill should not come into effect, and I hope that it will be withdrawn.

Hon. Mr. REESOR—Some hon. gentlemen seem to completely misunderstand the object of those who oppose this bill. The legislation would be desirable if injurious substances were given to the bees and the quality of the honey was thereby lowered. What we say is that a pure article of granulated sugar, that you can buy at four cents a pound, will produce good honey. Such sugar has been analysed, and chemists cannot discover any difference between it and the nectar of flowers. They are both sugar. The bees can make from sugar the very finest kind of honey. Those who have petitioned for this bill have not given a tittle of evidence to show the contrary. Several parties have tested the matter and have made honey from sugar which has been pronounced of the very best quality. I do not know anything about glucose myself, but I understand the bees select what they require for the production of honey and do not necessarily take anything which is injurious. I know, however, that when bees are fed on refined granulated sugar, the honey produced in that way has taken the highest prizes at fairs and has commanded the best prices in the market. I know that to be a fact, but of course there is, at certain seasons, an abundance of flowers that the bees can pasture on and they can get the honey. There are other times when they cannot, in dry seasons or in particularly wet seasons. Then you are obliged to feed them or get very little honey. Then you

should feed them, of course, any pure article, sugar in some form or other. Of course, if the sugar is of poor quality they must do the best they can with it, but to say they shall not use sugar is the most absurd thing I ever heard of. I should like the government to put a few colonies of bees in the hands of some expert at the Experimental Farm just for one season and feed some on pure granulated sugar, and let others feed from flowers, and see which will have the best honey. That is the proper way to test it and the experiment would only take a year or so. I think it absurd to amend the Inspection Act now. Sir John Abbott introduced and passed a bill here which he said was just what the apple growers and apple shippers wanted, but the result was not satisfactory at all. Now these bee-keepers are asking for something that they do not understand. I am acquainted with one of the best bee cultivators in Canada, an exceedingly well-informed man. He was editor of the *Canada Farmer* forty-five years ago. He was then in Guelph, and he knew more than the gentlemen who are working up this bill and endeavouring to get it passed, and I have his testimony against the bill. You might as well legislate that a farmer shall not feed his cattle turnips, because it will affect the quality of the milk. It is a matter which will regulate itself. Of course, a man has no right to feed unwholesome food to his animals; if he does it will injure them. But sugar is not an injurious article, for bees or honey, and the purer the sugar the better.

Hon. Mr. SCOTT—The objection that I have to the bill now under consideration is that it is a clear innovation on the legislation of the country. There is no similar instance of our legislating to the extent of interfering with the rights of individuals as we are doing under this bill. As has been stated by my hon. friend on my right, we are declaring that honey is adulterated by sugar being fed to the bees. Now the adulteration of an article means the mixing of it with some other substance of an inferior character. That is not the effect of feeding sugar to bees. The transformation is made by the bee itself. You are making the food furnished to the bee the gravamen of the adulteration, which is not quite right.

Hon. Mr. BOULTON.—Is not it the same

as the difference between oleomargarine, and butter from the natural milk of the cow?

Hon. Mr. SCOTT—Now, we provide that the cow shall not be fed with any deleterious article, but in this instance it is not known what substances are deleterious. That is where the point comes in. Milk made from grains from breweries would be improper food, of course. It would be a substance not healthful to the cow, but here it is admitted that the article that is fed is a wholesome article. We eat it ourselves in its natural state. It is on every table in the Dominion, but to say that it becomes adulteration when the bee feeds on it, I think it carrying the idea to an absurdity. Now, practically, what is the point at issue? What are the facts? We all know that in the latter part of May, and in June, July and August, when there is an abundance of flora all over the country, when blossoms abound everywhere, it is unnecessary, and the bee-keepers never think of feeding the bees in those months. It is when the flowers have ceased to bloom, and there is an absence of nectar, that the bees have to be fed. The bee is a very busy little insect, and it will make honey from any suitable substance. If it cannot get the natural substances that it desires, it will make honey from something else. The hon. gentleman smiles at that. I have under my hand here abundance of authority, which will prove that in seasons of scarcity the bee will feed on substances that are deleterious. If you do not give them wholesome substances, they will feed on substances which are deleterious. First take Simons, who is recognized as an authority. He describes the honey as containing grape sugar and many other substances. That evidence can be abundantly furnished from all sources. California produces more honey, probably, than any other country in the world. In one year alone 9,000,000 pounds of honey were exported. They produce honey on a large scale. They have bee ranches. There are seasons in that country when the bees cannot obtain the nectar from choice flowers, and consequently they feed on substances that are absolutely injurious. In an article that appeared in the last number of Harper's, which I happened to be reading by accident, on the Arcadian bee-ranching, it describes bee-keeping and ranching in California:—

The Lake Glen bees make the most of the orchard, especially in later months, when summer

bees have subdued the passionate effervescence of these sun nurtured mountains, and they are confined to the darker nectar of horehound, buckwheat, golden rod, and fall growing specimens of mint. They are particularly fond of grapes, figs and apricots, their greedy partiality for the last often resulting in their death.

It goes on describing foods they take at different times. It is represented here that in the fall of the year, the vineyards are frequented by bees—I happen to know that myself, and it is corroborated by the hon. gentleman on my right—and they then feed directly on the sugar in the fruit. I have grown Delaware grapes by the tons and if you allow them to get dead ripe, you will find the bees and wasps so puncture them that they are almost useless. I could quote from Mr. Cook, a late authority who has been quoted before, in confirmation of this view.

An hon. MEMBER—Hear, hear.

Hon. Mr. SCOTT—The hon. gentleman says “hear, hear.” I believe it is not susceptible of contradiction, and that is why I maintain that this is an interference with the rights of individuals, and an interference that is not warrantable under any circumstances, because it is only at those particular times when the bee is short of a proper and natural food that a resort would be had to the feeding with sugar, and certainly it could not be said to be an adulteration when the whole human family use sugar. It is one of the substances found everywhere, on the tables of everybody, and if we are going to interfere now with the foods of animals, I can point out in many directions, where I think it would be essential, where we allow food to be put on the market in an adulterated and often poisonous condition. We know very well that ducks and geese are scavengers. They eat filth of the most repulsive kind, and still we do not adopt any law with respect to them. We allow them to be sold, although we know their food is sometimes very offensive. Then, again, take that article of food which is probably more generally used than any other, the meat of the hog. What animal feeds more repulsively or disgustingly than the hog? Is it not notorious that the farmers’ swill barrel is made up of the refuse, filth and dirt that no other animal will consume? It is a fact, which I myself have absolutely known, that some farmers leave

their privies open in order that the hogs may feed on and consume the faecal discharge of the human body, yet we do not interfere with that. We know the consequence of that. Every now and then people are attacked with tape-worm and things of that kind. That is well authenticated. Unless certain classes of pork are very well cooked, so that the germs of disease in them are absolutely destroyed, we know that the meat is injurious to health, and is often productive of fatal results. Now, I say, where we allow that to exist, it does seem to me inconsistent to introduce legislation of this kind, which is simply a fad of a comparatively few people in the country. I say that with full knowledge of what I am saying—it is not the desire of the bee-keepers, as a rule, but some two or three of them have got up this idea that they are going to improve the character of Canadian honey by passing this bill. It is a very serious mistake carrying out the principle of interfering with the private rights—making it positively a crime for the bee-keepers to do that which no man will feel he is morally bound to obey. Under those conditions I think it is very improper to force a bill of this kind upon Parliament.

Hon. Mr. FERGUSON—I am not going to take up any more time discussing the bill. Surely we have discussed it enough, but my hon. friend and other hon. gentlemen confound two things in all their remarks. The hon. gentleman who has last spoken, particularly, does so, and if he will read the bill carefully, which I am afraid he has not done yet—

Hon. Mr. SCOTT—It is not very long.

Hon. Mr. FERGUSON—And, therefore, he ought to have read it if he has not done so.

Hon. Mr. SCOTT—I have read it half a dozen times.

Hon. Mr. FERGUSON—The last clause reads:

Provided that this Act shall not be interpreted or construed to prevent the giving of sugar in any form to bees, to be consumed by them as food.

That is clear enough. It only prevents the giving of such food as sugar or glucose to bees for the purpose of being converted

into surplus honey to be sold in the markets of the world as the actual honey of the bee, which it is not.

Hon. Mr. POWER—Where does the hon. gentleman draw the line?

Hon. Mr. FERGUSON—It is not very hard to draw the line, but any bee-keeper can do that. It is perfectly easy for him to do it.

Hon. Mr. POWER—It is all very well for the bee-keepers to say it is easy for them to do it, but I do not think the persons whose duty it would be to carry out this law would be bee-keepers. You say that it shall be lawful to feed sugar to bees simply as food, but as soon as the bee ceases to consume this sugar as food and begins to use it for the purpose of making honey, then the man who exposes the sugar is guilty of a crime. I think this is carrying penal legislation to an utterly ridiculous degree, and I am surprised that the hon. gentleman has not taken the suggestion made by the hon. member from Kingston. If it is desirable that the character of our honey in the European markets should be maintained, the proper and common sense way to do it is to say that the man who put the article on the market is responsible for it, and that his name shall go with the article which he sells. I think the hon. gentleman from Kingston made it perfectly clear that this act, which is made a crime by the bill before us, is not adulteration. Adulteration means the mixing of something with a genuine article. It may not be deleterious, but there must be something mixed with a genuine article and in this case there is nothing mixed with the honey. Now this Parliament might just as well say, in the interests of the farmers of this country, that hereafter it shall be deemed an offence against the Adulteration Act punishable by fine and in default of the payment of the fine by imprisonment, to feed oil cakes to milch cows.

Several hon. MEMBERS—Oh, no, no!

Hon. Mr. POWER—It is the same thing. A farmer will naturally say, "Here there is abundant hay over this country; you must buy the hay and feed the cattle with grass or hay;" and, if the hon. gentleman who smiles at the supposition, had a bill of that

kind before him, he would claim that the farmers' association of Ontario insisted that it should be made a penal offence to feed oil cakes to milch cows. It is exactly the same thing. You feed the oil cake to the cow and the cow gives milk; and from that milk is made butter, and I can imagine the hon. gentleman coming in here in a very plausible way and telling us it would be very injurious to the health of the people and the farmers of the country, if any man were allowed to put butter on the market which had been made from the milk of a cow which had been fed on oil cake.

Hon. Mr. BOULTON—If the hon. gentleman knew enough about farming, he would know that oil cake went to make beef and not butter.

Hon. Mr. POWER—While it may be true that the greater part of the oil cake goes that way, it does not all go. I do not pretend to be an experienced farmer like the hon. gentleman from Shell River. Perhaps the oil cake does not cover the ground, I presume there is a little butter made from ensilage. What you get in the silo is a very ill-smelling and unpleasant sort of compound and Parliament would be just as much justified in declaring it a penal offence to feed ensilage to cows as to feed sugar to bees. I think that the hon. leader of this House, who unfortunately was not present when this matter was discussed before, must see that this is not legislation which would commend itself to a parliament made up of sensible business men. If it is necessary to protect the purchasers of honey the right way to do it is under the Inspection Act. It is absurd and barbarous legislation in fact to make it a crime to expose sugar where bees could get it.

Hon. Mr. MACDONALD (P.E.I.)—The argument of the hon. gentleman proves too much, because any one acquainted with the feeding of cattle knows that oil cake is a very safe and proper food to give cattle.

Hon. Mr. POWER—So is sugar to give to bees.

Hon. Mr. MACDONALD (P.E.I.)—It is an agricultural product which you can feed in any state to cattle. I did not know very much about the habits of bees, or respecting the legislation which was required, until I

heard the discussion which has taken place in this House now for the third time respecting the bill before us, but the whole tendency of the discussion has led me to this conclusion, that those gentlemen who applied for this legislation are most interested in the manufacture and production of honey. The people who are seeking for this legislation, are the Bee-keepers' Association, and in view of this fact I am disposed to give the bill my support.

Hon. Mr. McCLELAN—Although the discussion was very full the other day, some hon. gentlemen who are here to-day were not present then and did not hear the discussion bearing on the chemical composition of sugar and honey. All that was explained by the hon. member from Kingston. It is well known by my hon. friend who promotes this bill that if certain articles are fed to pigs, the pork is not as good as it should be. For instance, beechnuts or buckwheat will make inferior pork, but who would dream of passing legislation to prevent a farmer from feeding buckwheat or beechnuts to his pigs? The hon. gentleman speaks about the bee-keepers; there has been no petition setting forth their cause, while I have read a petition and my hon. friend has read several letters from apiarists who are opposed to this legislation altogether. I will read an authority—it is my hon. friend who has charge of this bill. He said with regard to the bill on the 28th February, on the second reading of it:—

It was introduced by a private member in the the other House, and has been sent up to the Senate for our consideration. But while the principle of the bill is a good one, I fear the details of it, and the manner in which it proposes to deal with the subject, will not be found, on close examination, to be very satisfactory.

He goes on to say further :

I have very considerable objection to the manner in which this bill, as it comes to us, proposes to carry out its object. In the first place, it confounds two distinct subjects—adulteration and the sale of an article not deemed to be a proper one for food. I intend to move an amendment to the bill, when we get into committee, to meet this objection. Another objection is that the offence of exposing substances for bees to feed upon is dealt with as an adulteration, whereas it is a distinct offence. It bears the same relation to adulteration that having possession of a still, which is held to be an offence against the Revenue Act, bears to illicit distilling, and, therefore, it should be treated as a separate offence. There are

other points in this bill which require to be carefully considered in the committee.

That is the bill which we now have before us, and to which the hon. gentleman raised all these objections, and yet he is to-day pressing it on the attention of the House.

Hon. Mr. REESOR—You might prohibit all those substances with the exception of fine granulated sugar.

The committee divided on the motion to adopt the first clause, which was agreed to.

Hon. Mr. DICKEY, from the committee, reported the bill without amendment.

The bill was then read the third time and passed on a division.

RAILWAY ACT AMENDMENT BILL.

IN COMMITTEE.

Hon. Sir MACKENZIE BOWELL moved that the House resolve itself into a Committee of the Whole on Bill (H) "An Act further to amend the Railway Act."

Hon. Mr. McCALLUM—I see that in the other House the Minister of Railways has given notice that he is going to introduce a bill to amend the Government Railway Act. I do not know that this would exactly come as an amendment to the Railway Act. If it does, I would suggest to the Minister to put them all in one if possible.

Hon. Mr. SCOTT—This bill would not apply to government railways; it only applies to the Railway Act.

Hon. Mr. McCALLUM—Do not the government railways come under the Railway Act?

Hon. Mr. SCOTT—No, a different Act altogether.

The motion was agreed to.

(In the Committee.)

Hon. Sir MACKENZIE BOWELL—It is proposed to make one or two amendments which I think will meet the objections which were raised when the second reading was proposed. Suggestions were made by the hon. member from Ottawa and also by the senior member for Halifax. The amend-

ments which I propose to make to the first clause are these:—In the first line of the 58th section strike out the word “shall” and in the second line “for the following purposes,” making it read as follows: “The directors may make by-laws or pass resolutions from time to time.” That completes the clause. Then instead of making 2 a subsection of section 1, we propose to make it a section of itself, reading this way: “all resolutions heretofore passed instead of by-laws for the purposes mentioned in section 58, as substituted by this Act, are hereby confirmed.” And then to make clause 2, number 3. I think this will meet the suggestions which were made by hon. gentlemen opposite when the bill was before the House at a previous stage. I might add that these amendments are approved, so far as I can learn, by the great railway corporations which are more immediately interested in the passage of this bill.

Hon. Mr. SCOTT—A number of suggestions have from time to time been made by counsel for the railway companies, more particularly by Mr. Bell for the Grand Trunk Railway Company, Judge Clarke for the Canadian Pacific Railway Company, and Mr. Kingsmill for the Canada Southern Railway Company, and I understand that there has been some correspondence with the Justice Department on the subject. I have not seen the bill which was the result of that. From a letter which I received this morning from Judge Clarke, it would appear that the bill suggested by Mr. Newcombe, the Deputy Minister of Justice, was not in the form in which the proposed amendments are now made. One point to which attention has been called is that they conflict with certain clauses in the Railway Act. Section 214 of the Railway Act provides that the company may make by-laws for the purpose, among other things, of regulating the conduct of the officers, servants and employés of the company, and providing for the due management of the railway. Then section 217 requires that all such by-laws, rules and regulations shall be submitted from time to time to the Governor in Council for approval, and no such by-law, rule or regulation shall have force or effect until approved by the Governor in Council.

Hon. Sir MACKENZIE BOWELL—Are those the powers of the directors?

Hon. Mr. SCOTT—No, of the company. It has been noted that in so important a matter as the management and distribution of the stock, property and business of a company, it ought to be done with some more ceremony than the mere passing of a resolution, and that as the Railway Act requires rules, by-laws and regulations to be passed affecting those different matters and it is required that the Governor in Council shall approve of them, it is interfering with a very important part of the Railway Act. I find in the Canadian Pacific Railway Act that the company is obliged, under its charter, to pass by-laws in relation to those matters. It is exceedingly difficult to frame a clause to meet the views of so many gentlemen who profess to know a good deal about this subject, but my attention was called to that particular point, that it was giving the directors an unlimited power and freeing them from the control of the Governor in Council. Under the clause, as we are proposing to amend it now, we are practically relieving them from the present important responsibility of submitting by-laws to the Governor in Council for their approval.

The CHAIRMAN—There is nothing here which interferes with sections 214 and 217 of the Railway Act.

Hon. Mr. SCOTT—It is inconsistent with them. The directors may have authority, but the action of the directors should be approved by the shareholders, and that has to be approved by the Governor in Council. Would it not be wiser to have it read in this way: “directors may make by-laws from time to time for the management and disposition of the stock, property, etc.,” leaving the law practically as it was, but making it optional. Then if they had made a by-law for that purpose, they would have to submit it to the Governor in Council. I understand the chief reason for this legislation has been the desired action of the Grand Trunk Railway directors to provide for retiring officials. That would be amply met by subsection 3 of the bill.

Hon. Sir MACKENZIE BOWELL—There seems to be a misapprehension of the purport of the bill, and its effects when passed. It will be observed that this bill has reference to the action of the directors and the directors only. The shareholders at their

general meeting can adopt such by-laws and regulations as they think proper for the guidance of the directors in the management of the affairs of the railway. The real object of this bill is to give the directors power to do certain things by resolution which they were compelled to do under the 58th section of the Act, by by-law alone. The 58th section provides that the directors shall make by-laws for certain purposes. These are the powers given by the statute to the directors. Now, this bill not only proposes to give additional authority to the directors to do that by resolution which they were compelled to do under the 58th section by by-law, but also to legalize (because that is really the principal object of the bill) that which has been done by every company, so far as I am informed, particularly large corporations, by resolutions in the past, and which might create some difficulty and perhaps lead to law-suits which would be of no possible benefit other than to gratify the feelings of some persons who might be dissatisfied with what had been done. The other clause is to add that what the hon. gentleman suggested, to give to the manager of a company in Canada, situated particularly as the Grand Trunk Railway is, the right and power to certify to the requirements of the company in the purchase of land, which now would have to be sent to England for the signature of the president or one of the directors, and I think that we may fairly come to the conclusion that the manager in Canada would know better what would be required in the extension of railway property than any director in the old country, because if he would not have to take his instructions, he would have to act upon the recommendation of those who were managing their business in Canada. That is really the whole pith of the bill, and I think, after it has passed through the hands of a great many railway lawyers and railway officials and been amended, as I have suggested, it will meet the requirements of the companies, without taking from the shareholders any of the power which they now possess under the law.

Hon. Mr. POWER—The amendment suggested by the hon. First Minister certainly improves the bill very much, but I still have some doubt as to the policy of this measure. The truth is, as conveyed by the

hon. First Minister and the hon. gentleman from Ottawa, that this bill is asked for in the interest of one company. There has not been any complaint from the other railway companies doing business in Canada, and like the hon. gentleman from Ottawa, I have a letter from the counsel of the Canadian Pacific Railway in which he points out a number of objections to this bill in the form in which it was read the second time. Would it not, therefore, be better to confine the operations of the bill to the Grand Trunk Railway?

Hon. Si MACKENZIE BOWELL—No, because the other companies, unless I am misinformed, are precisely in the same position as the Grand Trunk Railway. Not being as old or as long established, they may not have sinned to the same extent.

Hon. Mr. POWER—I can understand a portion of this; for instance, paragraph six. Perhaps the company should be allowed to appoint all its officers and servants, and to prescribe their duties and their compensations by resolutions, but it does strike me that for an important act of that kind, which is to be permanent in its character, it should have the solemnity of a by-law, and this paragraph "A" says that directors may pass resolutions for the management and disposition of the stock, property, business and affairs of the company. Well, that would put them in a position to dispose of the whole business of the company, without reference to the shareholders at all. With respect to paragraph "A," I wish to submit an amendment for the consideration of the hon. First Minister. I propose to add to the end of it these words "Nor with any by-law of the company." The clause reads now:—

The directors shall pass resolutions from time to time for the following purposes: For the management and disposition of the stock, property, business and affairs of the company, not inconsistent with the laws of Canada, nor with any by-law of the company.

The Railway Act provides, in sections 214 to 230, for by-laws to be made by the company, and inasmuch as those by-laws, made solemnly by the shareholders under the provisions of the Railway Act, should be of greater force and validity than resolutions passed by a bare majority, perhaps of a small meeting of directors, I think the

hon. First Minister will see that those resolutions which are to be passed by the directors shall not be inconsistent with the by-laws solemnly made, any more than with the statute law.

Hon. Sir MACKENZIE BOWELL—I think that would complicate matters worse than they are now. The directors under the law now have the power to make by-laws. It is only extending to them the authority and the power to pass resolutions. He says these resolutions must go so far as not to be inconsistent with the by-laws of the company. That would imply that the by-laws of the company were not to be amended, or that they would have to amend the by-laws and then pass the resolutions to conform with the minutes. I was somewhat surprised—because I had not heard it before—to hear the hon. gentleman's statement that this amendment affected only one company, the Grand Trunk Railway. My information is that other companies, having local boards in Canada, are in a much worse position in that respect than the company which is governed by directors in England, because they are acting nearly all the time upon resolutions in the appointment of officers, the allotment of stock and other business. This bill has had a very great deal of consideration on the part of those most interested, and I think a little reflection would show that it would be detrimental to the companies themselves if we were to adopt the suggestion of the hon. member. I hope, therefore, he will allow the bill to pass in its amended state.

The clause was adopted.

Hon. Mr. OGILVIE, from the committee, reported the bill with amendments, which were concurred in.

WINNIPEG GREAT NORTHERN RAILWAY COMPANY'S BILL.

THIRD READING.

The order of the day having been called :

Consideration of the amendment made by the Standing Committee on Railways, Telegraphs and Harbours to Bill (32) "An Act respecting the Winnipeg Great Northern Railway Company."

Hon. Mr. MACDONALD (B.C.)—The bill asks for an extension of time for two years for the completion of the works. It

was sent down to the Railway Committee, and it was there amended, the amendment compelling the company to build fifty miles of the road this year. With an amendment of that kind, the managers have come to the conclusion that they cannot finance the road, that it is a cast-iron amendment which would destroy their charter. Now supposing they build forty-five and not fifty miles within the specified time it would kill their charter, or if they only built forty-nine miles the charter would expire at the end of the year, I am sure the House does not want them to be in a position of that kind. What they are asking for is a reasonable thing, and is given to other companies, namely an extension of two years from the end of this year, and they hope in that time to be able to proceed with their work. I hope the hon. gentlemen understand the amendment which is now under consideration—an amendment which the promoters of the bill cannot accept. I therefore move that the amendment be not concurred in.

Hon. Mr. POWER—I do not think this is a matter which should be disposed of so very promptly. The Railway Committee have reported in favour of an amendment, and the motion made by the hon. gentleman from Victoria is that the amendment be not concurred in. Perhaps some hon. gentlemen who are not members of the committee do not know what the amendment is that they are asked not to concur in. For the information of any hon. gentleman who may not have seen the amendment, I ask to be allowed to read the first clause of the bill :

The section substituted by section one of chapter ninety-four of the statutes of 1894 for section thirty-three of chapter eighty-one of the statutes of 1887 is hereby repealed, and the following substituted therefor :

33. That portion of the main line of the company's railway reaching to the Saskatchewan River shall be completed by the 31st day of December, 1898, otherwise the powers granted with respect to such construction shall be null and void as respects so much of the railway as then remains uncompleted.

The amendment made in the committee was to insert after the words "one thousand eight hundred and ninety-eight," the words "and fifty miles of such line shall be completed by the 31st December, 1896." They were to build fifty miles during the present year. Now this company is supposed to be a very powerful corporation. They propose

to build at once the line through to the Saskatchewan, involving the construction of something like 400 miles of railway and to have the whole of that line completed by the end of December, 1898; that is, they are to have three working seasons. The amendment made by the Railway Committee proposes that during one working season they shall construct fifty miles of that line. It does not seem to me that that is an unreasonable amendment to make. Without going into what took place before the committee, I presume hon. gentlemen are aware of the fact that the gentleman who has been promoting the bills in connection with this road, I was going to say since we were young men here, declared that it was the intention of the company to build this fifty-mile section this year, and the committee simply took him at his word and inserted this provision. The company has been in existence since 1882, if not before that, and every year or two it comes to this Parliament asking for additional powers, for extensions of time, and so on. Fourteen years is a sufficiently long time to allow this company to proceed with their work, and to insist that at the termination of the fourteen years they shall have built fifty miles of their railway. That is about what the committee have decided, and I know of no reason why the decision of the committee should be reversed. The hon. gentleman from Victoria has not given any reason. He said that in the cases of other companies similar extensions of time were given, but I remember that in the cases of one or two companies last session, we provided that those companies should construct a certain amount of road each year. The Manitoba and North-western Company asked for an extension of time and I think they were obliged to construct twenty miles of road each year.

Hon. Mr. CLEMOW—And they did not do it.

Hon. Mr. POWER.—The same condition has been imposed upon other companies. This condition is a reasonable one. The company which asks for a favour is not one which has any special claims upon the bounty of parliament, and I do not think that the motion made by the hon. gentleman from Victoria should pass.

Hon. Mr. CLEMOW—When this bill was before the Railway Committee there was

misapprehension with regard to the amendments proposed. It is true this company has been in existence for several years, but there are other companies in a similar position. The other day parliament extended the charter of the James Bay Railway Company, which had not built one mile of road, although they had been in existence for some fourteen years, yet we extended their time five or six years. I do not see why an exception should be made to this or any other company. The building of fifty miles of road has no significant effect. English capitalists now are determined not to advance money except on the whole line of railway proposed to be constructed. They must have some objective point by which they will be governed, and therefore it is utterly impossible for this company, if they are compelled to build fifty miles this year, to succeed with the construction of the railway to its terminal point. Their charter will be useless. They cannot finance upon that condition, and therefore you might as well say you will not grant any extension of time under the circumstances. The idea the other day was that a certain time should be given to enable them to show their ability to construct fifty miles in a certain time, and its final completion at the expiry of the time limited, and if not the government would transfer the charter to some other company, but this has been found impracticable, and therefore it has not been considered judicious to impose an amendment of that kind at the present time. The only way to get out of the difficulty is to expunge the amendment proposed in this report of the committee. I do not think hon. gentlemen should object; I think it is quite a fair proposition. It is true that this company has been in existence for a great many years, but you must remember they have built some forty miles of road and spent a million dollars of money, and under all the circumstances they are entitled to this extra extension of time. It has been said that the Manitoba and North-western Railway has been in a similar position. It is true they contracted to build twenty miles yearly, but they were not able to do it and now they are in insolvency and in the hands of the receiver, and other companies are in a similar position. I do not think it is the intention of the House to place this railway company at an unreasonable disadvantage. They have a considerable unexpired time under the existing law.

Therefore I do not think it is asking very much that they should be allowed the additional privilege to complete the whole line. If they do not do it in the time specified the charter will expire. Viewing it in that light, I hope that any objection to the motion of the hon. member from New Westminster will be withdrawn and that the bill will be allowed to pass here as it passed in the Commons, without any opposition.

Hon. Mr. BOULTON—As this question before the Senate affects the district which I have the honour to represent here, and as the proposed railway will pass through that district, I would like to say a few words upon the effect of the amendment proposed by the senior member for Halifax. The railway company is at the present moment before the Senate, applying for an extension of two years from the 1st of December next, when their charter will lapse if that extension is not allowed. They have been granted certain subsidies to assist them in extending their line up to the Saskatchewan River, a distance of about 300 miles. Those subsidies are good till the 1st of December next. If on the 1st of December next the company do not show any effort to continue the work the government can deal with the subsidies as they think best. The amendment that is now advocated by the senior member for Halifax is not to extend the time for two years unless fifty miles is constructed this year. The hon. gentleman who has just resumed his seat has very properly said that in financing for railway construction in Canada, you cannot finance in the British market for a portion of a line; that the stock exchange does not now allow any railway to be listed where the bonds are for a portion of the line only. I am afraid that this action has been caused by the failure of the Manitoba and North-western Railway which has gone into the hands of the receiver. The bonds, which cover 185 miles of the line, are now in litigation, and the bondholders are applying for their rights under that appointment. Our courts have held that those bonds applying to a part of the main line which goes through to Prince Albert, cannot be separated from the rest of the main line, and therefore the bondholders cannot control the 185 miles forfeited by the failure of the company to the bondholders. That question is now in litigation before the courts. It is

an unfortunate position, because it weakens our credit for railway construction. There is an additional reason that I should like to impress upon the senior member for Halifax, and that is, that the province of Manitoba advanced \$250,000 of bonds to assist in the promotion of the construction of the forty miles upon which track has been laid. They were to get the company's land grant on this forty miles as collateral security for the \$250,000 they advanced, but in consequence of the forty miles not being up to the standard regulation by the government, the land grant has never been transferred, and therefore the company or the country is still indebted to the province of Manitoba for the security upon which they advanced that \$250,000 of bonds. If by the passage of this amendment it was required that fifty miles of the line should be constructed this year, and the company failed to accomplish it, then the subsidies would be wiped out, the company would be wiped out, and the security that the province of Manitoba still hopes to realize upon would be entirely wiped out also. For that reason, I think that if the hon. senior member for Halifax will consider that position of affairs, he will withdraw the amendment and allow the bill to go through as it has been applied for by the promoters themselves.

Hon. Sir MACKENZIE BOWELL—I was, unfortunately for myself, absent from the committee when this bill was under consideration. The question has been put so fully by the hon. member for Marquette and also by the hon. member from Rideau that it would be unnecessary for me to say anything further than this, if the member's object is to kill the bill, he has adopted the most effectual manner of doing it. So important do the people of Manitoba consider this section of country through which the road is to run, that the Legislative Assembly of Manitoba which has just about closed its business for this year, have, if I understand it correctly, pledged themselves in support of this road by guaranteeing 4 per cent upon \$8,000 a mile.

Hon. Mr. BOULTON—That is on the west side of Lake Manitoba.

Hon. Sir MACKENZIE BOWELL—Whether to this company or to another company or to a company formed of both. I

am not prepared to say, but I am merely mentioning the fact that so important do the legislature of Manitoba conceive the building of this portion of the road to be that they are pledging their credit to that, to my mind, enormous extent in support of it. It would be a calamity to that portion of Manitoba, which is looked upon as the most fertile in the whole North-west, if we should do anything to jeopardize the construction of this portion of the road at least. I do not wish my remarks to apply to the line to Hudson Bay. I am not dealing with that at all. I am merely dealing with the portion which leads from Portage la Prairie to the North Saskatchewan. It was my good fortune to have not only the pleasure, but the benefit of a drive over a large portion of that route last year, and that is one reason why I feel anxious, in the interest of the development of Manitoba and the North-west Territories generally that this road should be constructed at as early a date as possible, at least to the Saskatchewan, if it never goes beyond that, and the passage of this bill, I am satisfied, will accomplish that object. I join with the hon. member from Marquette in hoping that the senior member for Halifax, who is exceedingly industrious in matters of this kind and I have no doubt has but one object in view, and that is to insist upon fifty miles at least of the road being built this year in order to give that accommodation which is necessary to the settlers.

Hon. Mr. POWER.—The hon. gentleman is labouring under a misapprehension. The majority of the Railway Committee made this amendment.

Hon. Sir. MACKENZIE BOWELL.—And the senior member for Halifax has made himself, here, the exponent of the views of the majority of the Railway Committee upon this question. That is the only position in which I wish to place him. There is another point referred to by the hon. member from Rideau, and that is one of the most important, that is, the difficulty of any company financing for the construction of a road that is surrounded by too many restrictions. If this company had plenty of money to spend on the road, there would be no difficulty in constructing fifty miles in the time mentioned in the amendment, but it must be borne in mind, all these roads in

the west have had to be built on borrowed capital, and it takes a good deal of time to convince capitalists after what has occurred in the western country, to advance their money, and they will not do it until there is a tolerable certainty of the work being completed by which the subsidies will be earned so that they can reap some benefit from their investment.

The Senate divided on the amendment, which was adopted.

The bill was then read the third time and passed on a division.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, 25th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

EDMONTON DISTRICT RAILWAY COMPANY'S BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (54) "An Act to incorporate the Edmonton District Railway Company," with an amendment. He said:—The amendment is an addition to subsections B and C of clause 10 of the bill. At the second reading the hon. Premier called attention to the fact that subsections B and C of that clause gave unlimited power to buy, utilize, sell or otherwise dispose of water and privileges, but made no reference whatever to the general Act—The North-west Irrigation Act. The committee have taken the matter into consideration and have submitted an additional subsection to those two subsections B and C to this effect, that the power to utilize, sell or otherwise dispose of water and water privileges which are conferred by paragraph B and C of this section shall be exercised subject to the provisions of the North-west Irrigation Act. It seemed to be a necessary amendment, and I move that the report be taken into consideration tomorrow.

The motion was agreed to.

A PROPOSED ADJOURNMENT.

NOTICE OF MOTION.

Hon. Mr. CLEWOW gave notice that he would move that when the House adjourns on Friday next it do stand adjourned until Tuesday the 7th April.

Hon. Sir MACKENZIE BOWELL—With reference to the notice of motion I will take the trouble to-morrow to look into the state of the business to ascertain what we are likely to have sent up from the House of Commons during the coming week, and if there is no important business, I do not know that there is any reason why we should not accede to the hon. gentleman's suggestion. I take it for granted, however, that should there be any important business, the Senate will not object to sit a little longer after dinner, if it be necessary to catch up with the work, because it must be borne in mind the probabilities are that we shall not sit after the 24th, so that there will not be a great many days left for the transaction of business by this House, if there should be anything of importance brought before us. I am inclined to think that the lower House will sit not only every Saturday, but also on Good Friday and Easter Monday. It is important that the business for which this session of Parliament was called should, if possible, be brought to a successful conclusion; if it is not, I wish the country to understand distinctly it will not be the fault of the government.

BILL INTRODUCED.

Bill (53) "An Act respecting the Pontiac Pacific Junction Railway Company."—(Mr. Clemow.)

WRECKS, CASUALTIES AND SALVAGE BILL.

FIRST READING.

Hon. Sir MACKENZIE BOWELL introduced Bill (L) "An Act to amend the Act respecting Wrecks, Casualties and Salvage." He said:—In the past the law provided for the taking possessions of wrecks and cargoes, stores and tackle of wrecked vessels, but they have had no power, under the law, to take possession of sawn, planed or manufactured lumber of any kind, whether such lumber has or has

not been the cargo of any ship. Sometimes lumber when in tow is wrecked, and it is contended that under the law the government have no right to take possession of it. The consequence is that people who live along the shores of the lakes and other bodies pick up and take possession of this lumber. This bill provides that the government shall take possession of it, the same as they do of the wreck and the cargo of a vessel, and keep it in their possession for the owner in case it is called for. If not, it is sold in the same manner as other property coming into the possession of the government in this way.

Hon. Mr. MACDONALD (B.C.)—Will this bill give power to the government to remove the wreck of the "San Pedro," off the coast of British Columbia?

Hon. Sir MACKENZIE BOWELL—I do not think so.

Hon. Mr. MACDONALD (B.C.)—It has been on the rocks for some years and the government have not been able to remove it.

Hon. Sir MACKENZIE BOWELL—Yes, I understand that. The difficulty arises as to the power of the government to pass an Act giving them authority over what might be considered the sea or the highway. Although it is within the three-mile limit, it is not certain that we have the power. That matter has been discussed and the Minister of Marine and Fisheries will, if the constitution will permit it, introduce a bill giving the power to the government to remove that wreck—although it might be made a good lighthouse.

The bill was read the first time.

THIRD READING.

Bill (H) "An Act further to amend the Railway Act."—(Sir Mackenzie Bowell.)

SCHOMBERG AND AURORA RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. McKindsey moved the second reading of Bill (45) "An Act to amend the Schomberg and Aurora Railway Company." He said:—This is a bill for the

incorporation of a company to build a railway from the village of Schomberg, in the county of York, to connect with the Grand Trunk Railway between the station of King and Newmarket, a distance of about sixteen miles. It is intended to be a feeder of the Grand Trunk Railway system.

The motion was agreed to, and the bill was read the second time.

NATIONAL SANITARIUM ASSOCIATION BILL.

SECOND READING.

Hon. Mr. MACINNES (Burlington) moved the second reading of Bill (79) "An Act to incorporate the National Sanitarium Association." He said:—This bill is for the purpose of establishing a sanitarium for the cure of pulmonary complaints. There is nothing in the bill to which any reasonable objection can be made.

Hon. Mr. POWER—I presume that this measure, which looks as though it ought to have been introduced in the legislature of Ontario, has no connection with the other measure which the hon. gentleman introduced lately relating to the Historical Exhibition.

Hon. Mr. MACINNES (Burlington)—No, but they are both for the good of humanity.

The motion was agreed to, and the bill was read the second time.

INTERNATIONAL RADIAL RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. McKINDSEY moved the second reading of Bill (63) "An Act to amend the Act incorporating the International Radial Railway Company." He said: This is a bill to amend the Act incorporating the company. At present there is a charter to build the line from the city of Hamilton to Guelph; they ask power to extend that line through to the Georgian Bay at Meaford. There is also a line from Hamilton to Waterloo; they ask power to extend that to Goderich on Lake Huron. They also ask for an extension of time. These are the only important features of the bill.

The motion was agreed to, and the bill was read the second time.

TORONTO, HAMILTON AND BUFFALO RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. McKINDSEY moved the second reading of Bill (70) "An Act respecting the Toronto, Hamilton and Buffalo Railway Company." He said:—Hon. gentlemen will remember that last year the new company came here for legislation, and in the bill, which was passed at that time, was a clause compelling the new company, which had acquired the right at that time, to settle a number of claims created by the old company, due to sub-contractors and persons who furnished labour and material for the road then built from Brantford to Hamilton. There was a limited time to put in these bills for payment. The bills are in. Of course, some of them are contested, and it is difficult to get a final settlement so as to bring the law of last year into force. The object of this bill is to enable the company to pay in \$85,000 to the Bank of Hamilton in cash, and to create the Bank of Hamilton trustee for the creditors. Up to the 26th of March of this year, the claims sent in only amount to \$56,884.84. By this bill, the company proposes to deposit with the Bank of Hamilton \$85,000, to cover that amount, so that if parties who have placed claims now or have them in liquidation can succeed in getting a judgment, the money will be there in the Bank of Hamilton to pay them. This \$85,000 is in excess, as I understand, of the whole of the claims. Therefore, these persons are properly protected, and this bill asks that as soon as a certificate is obtained from the Bank of Hamilton that this \$85,000 is deposited there in trust for the payment of these debts, then the Minister of Railways and Canals shall declare the Act of last year in full force and effect. That is the essential element in this bill.

The motion was agreed to, and the bill was read the second time.

YUKON AND BRITISH COLUMBIA TRADING AND DEVELOPMENT COMPANY'S BILL.

THIRD READING.

Hon. Mr. MACDONALD (B. C.) moved concurrence in the amendment made by

the Standing Committee on Miscellaneous Private Bills to Bill (E) "An Act to incorporate the Yukon and British Columbia Trading and Development Company of Canada, Limited." He said:—The amendment to this bill will be found on page 280 of the Journals of the House. It is a very short one. It provides that the company shall not commence doing any business under this Act until at least ten per cent of the capital stock has been paid up. The promoters of the bill are willing to accept that amendment.

The motion was agreed to.

Hon. Mr. MACDONALD (B.C.)—The bill to which the amendment refers is now before the House for the third reading. When it was before us a few days ago, exception was taken to it as being too comprehensive and giving too extensive powers, and for that reason it was referred back a second time to the Standing Committee on Private Bills. That committee went over the bill, and found according to the legislation passed here last year and other years, that they could not conscientiously amend this bill. I have under my hands several bills giving powers quite as comprehensive as the powers given under this bill, and the committee felt that they could not, in justice, curtail the operation of the powers in this bill when they looked at what had been granted to other companies. If there is any opposition to the bill, I have the Acts before me which I could read, showing the powers given to the Nova Scotia Steel Company and to a boom company, which powers are quite as extensive as the powers granted in this bill. I hope the House will see the justice of allowing it to pass. It refers to a new country which is about to be developed, and it would not be wise to restrict the operations of the company to any one single undertaking. I admit that the powers are very extensive; but at the same time was Parliament wrong before in granting extensive powers of this kind to other companies? I do not think so, for this reason: that there have been no complaints from any one or from any part of the country that the extensive powers given to the Nova Scotia Steel Company and to other corporations have caused injury to any one or to the country. I hope that the gentleman who the other day took exception to this bill will not do so now, but will allow it to pass.

I therefore move the third reading of the bill.

Hon. Mr. POWER—I do not propose to respond to the challenge thrown out by the hon. member for Victoria. He is asking some one to tread on the tail of his coat, but we shall not do it this time. I do not propose to argue the case. I had intended not to say anything if the hon. gentleman had not spoken, and I simply wish to take exception to the argument which he has used. He has said that if any opposition were raised to the third reading of this bill, he would produce other measures which had passed this House containing provisions as objectionable as those contained in this bill.

Hon. Mr. MACDONALD (B.C.)—As ample I said.

Hon. Mr. POWER—Well, as ample, and as objectionable I add. I do not think that is a good argument. Very often measures pass this House containing objectionable provisions simply because the attention of the members of the House has not been particularly directed to them, and the fact that three or four measures containing provisions of that nature have escaped, is no reason why, when our attention is directed to such provisions in a measure before the House, we shall not remove them. I do not wish to oppose this bill, but I think it should be understood that we are not estopped for the future from exercising such objectionable provisions from any bill.

Hon. Mr. CLEMOW—I was one of the parties who took some exception to the bill at a former stage. I may say that the amendment proposed is in the right direction. I do not think the argument respecting the bills formerly passed bears on the present case, because they were all live companies, with a large amount of capital invested and doing a large business. But this is a new company, without a single dollar paid up on stock subscribed, and if the bill was passed in its original state, they would not have to pay up one dollar before they could carry on business in this country. So I think the hon. gentleman has not taken the right course in saying that the cases of these companies incorporated in the past are analogous to this; but I think it would be advisable that some general Act should be passed

by which all companies in the future could be incorporated without coming to Parliament. I see no objection to the bill now. I only hope the company will exercise the powers given judicially, and that they will be of advantage to the company themselves as well as to the country at large.

The motion was agreed to, and the bill was read the third time and passed.

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, 26th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

CANADIAN HISTORICAL EXHIBITION BILL.

REPORTED FROM COMMITTEE.

Hon. Mr. MacINNES (Burlington) from the Select Committee to whom was referred Bill (F) "An Act respecting the Canadian Historical Exhibition," reported the bill with certain amendments. He said: The bill is so amended that there is very little of it left, excepting the preamble. The whole of the bill as amended will appear in the journals, and I therefore move that the amendments be taken into consideration tomorrow.

The motion was agreed to.

BUILDING SOCIETIES IN ONTARIO BILL.

SECOND READING.

Hon. Mr. AIKEIS moved the second reading of Bill (K) "An Act respecting Building Societies and Loan and Saving Companies carrying on business in the province of Ontario." He said:—This bill is introduced at the instance of the Land Mortgage Association of Toronto, which is composed of all the large companies there. I might say that this association bears about the same relation to the loan companies that

the Bankers Association does to the banks in Toronto. For instance, the Canada Permanent, the Western Canada, the Freehold, the Central Canada, the London and Canadian, the Canada Loan and Credit Company, the British Canadian—in fact all the large companies in Toronto have asked for the provisions contained in this bill. These provisions were included in a bill which received the assent of both Houses this session—I refer to the Huron and Erie Company's bill. The clauses in this bill are only two in number, and yet, notwithstanding they are so few, I understand it is likely to meet with a good deal of opposition. In the first place, companies that are not indebted to the public in any way, companies that have not received deposits, and companies that have not issued debentures, think it very hard that they should not be permitted to loan on their own stock. I quite agree with that contention. There is no public indebtedness, either in the shape of deposits or debentures, and there is no reason why they should not be permitted to loan on their own stocks, so I think the first clause should be amended in that direction. Exception is taken by a class of companies that have accumulated stock, or withdrawable stock—stock that may be withdrawn by the person who takes it at any time before it becomes fixed or permanent stock. I can quite understand they should be allowed to lend on that stock until it becomes a portion of the fixed or permanent capital of the company, and then I think they should be barred that privilege. Then the second clause makes provision for an amendment to the Building Societies Act. That Act has this provision, that until stocks are fully paid up, a shareholder has no right to vote except in the proportion that the amount paid up bears to the share itself fully paid up. For instance, the shares are \$100—four shares with 25 per cent paid up on account can only count as one vote. The contention is, and I think it is well sustained, that the liability which a shareholder has is quite sufficient to warrant his being entitled to vote for every share he has. Exception has been taken to this clause, because it does not go sufficiently far. Perhaps it does not. Some think, and perhaps correctly, that any person in default to the company ought not to be eligible as a director. Although this is a public bill, I think, under

the circumstances, if the House will only permit it after the second reading, it would be well to refer it to the Banking Committee so that the amendments might be made there and so that time might be given those companies that have grievances to come before that committee and make them known. I have no desire to do wrong to any company; I believe in fair-play, and I believe every company should be represented there if they think proper.

Hon. Mr. McMILLAN—What association is opposing this bill?

Hon. Mr. AIKINS—The opposition comes from, for instance, one company here in Ottawa that does not take deposits and has not issued debentures. They claim they should have a right to loan on their own stock, and I think they should. Then opposition comes from another class of companies, recently brought into existence, that issue what they call withdrawal shares, accumulating stock. These companies say they ought to be permitted to loan on those shares, and in fact that they are merely deposits. If that be so, I see no reason why they should not be permitted. In fact, I have here a paper stating that one company in Toronto has loaned 90 per cent on these withdrawable shares. They are moneys that have been deposited there practically, that may be withdrawn by the person depositing at any time. They still wish to keep up their connection with the company, and they borrow or withdraw a portion of the deposit they have put in there. Inasmuch as this stock forms no portion of the fixed permanent charge of the company, I see no reason why they should not be permitted to loan on that kind of stock. Hence the following clause that I have thought of adding to this bill:—

Nothing herein contained shall prevent any Building Society or Loan Company from lending to its shareholders the amount paid on accumulating shares which have not been converted into fixed and permanent capital.

I see no reason why the bill should not be amended in that way, and it is for the purpose of making such amendments as this that I would like, if the House would permit, although it is a public bill, to refer the bill to the Banking Committee so that it may be thoroughly discussed and the amendments made.

Hon. Sir MACKENZIE BOWELL—I think the suggestion made by the hon. member to refer the bill to the Committee on Banking and Commerce is a very good one, when we consider the various interests that are at stake through the country. On first reading the bill, I confess that I was not impressed with the correctness of the principle laid down, but after reflection, and from applying some little experience that I have had to the working of these companies, I not only think the bill is correct in principle, but the suggestion which the hon. gentleman has made in reference to precluding the possibility of persons becoming directors who are indebted to the company, either by default in payment of their stock or by borrowing money, is a very safe one. I shall not enter into the reasons, but I have come to that conclusion. That amendment could be made before the Committee on Banking and Commerce. I think cases could be shown in the province of Ontario where the privilege of loaning to themselves has led to the bankruptcy of the company and great losses arising to the stockholders. I am not sure, however, of the correctness of the position taken by the companies which desire to loan upon what is termed, I think, convertible deposits. While the hon. gentleman was speaking, it struck me that a case of the kind might arise; the hon. gentleman said that he was aware of cases where loans had been made upon convertible stock to the extent of 90 per cent. Now, supposing the deposit had been in the company for two years and eleven months, it would only require one month longer in order to have that converted into permanent stock upon which this bill would prevent any loan being made. The stock of the company might be much below par, and the person might borrow upon the convertible stock, that is his own money, which he would have a right to withdraw at any moment; instead of that, he borrows 90 per cent upon the deposit which he has made in the company, and one month afterwards that is converted into permanent stock to the extent of the deposit, say \$100, and then he puts that on the market the next day paid up and it might not be worth \$50. There is a wrong that might happen—I do not suppose companies would do it intentionally, but things of this kind have occurred in the past—loaning to themselves, taking advantage of the power they have as directors by which they

loan to themselves and then wrecking the company. We have had an instance of that in London.

Hon. Mr. McKINDSEY—That is limited.

Hon. Sir MACKENZIE BOWELL—I am speaking of the principle now. So far as I am individually concerned, I should object to that clause permitting a man who has, say \$1,000 stock, only 25 per cent of which is paid, having the same voting power and authority at the board as the man who has an equal amount of stock fully paid up. It is said in defence of that argument (and there is a good deal of force in it, to my mind), that he votes upon \$1,000 stock, because he is responsible for the 75 per cent which has not been paid up, and consequently his interest is just as great as that of the man who has paid the full amount of the stock. That might or might not be the case. A man might be unable to pay the balance of the 75 per cent on the stock, and consequently would not have the same interest, under the circumstances, in maintaining the solvency of the company, as if he had paid the full amount. There is a provision in the law, however, and in this bill also, if I understand it, giving power to the directors to make calls; and, the calls having been made, on the non-payment of the calls, the shareholder is debarred from voting. There are other points which we may discuss when it goes before the Committee on Banking and Commerce. I am strongly in favour of the amendments which have been suggested by the hon. member.

Hon. Mr. POWER—I quite agree with the observations which have been made by the introducer of the bill and the First Minister. If I venture to say a few words further, it is because I have not the honour of being a member of the Committee on Banking and Commerce, and because I am not sure whether the hon. gentleman in charge of the bill has taken into consideration the cases of certain building societies whose stock is not like that of loan companies, that is, if the building societies in Ontario are the same as the building societies in the lower provinces. A man becomes a shareholder in a company in a certain way when he borrows money, and he gradually pays the indebtedness on his shares. Of course, if you are going to enact, that money

should not be loaned on that stock, it would simply strike at the principle upon which these companies are conducted altogether. I presume that the hon. gentleman will see, when the bill is before the committee, that it is so modified as to exempt companies of that kind from its operation—that is, if the building societies in Ontario are the same as those in the Maritime provinces.

Hon. Mr. McDONALD (C.B.)—I wish to call attention to this point too, there is one society doing business in all the provinces of the Dominion—the Canadian Mutual Loan and Investment Co. of Toronto. They are doing business in the lower provinces under acts of incorporation from the provincial legislatures. Will this bill interfere with the operations of that company in the other provinces outside of Ontario?

Hon. Mr. CLEMON—A number of companies are being incorporated under the Ontario Act and authorized to loan under section 40 of that Act and the proposed section one repeals, without any reason whatever, this power. To my mind, there is no better security, if a man has a thousand dollars stock paid up and he requires to borrow say 50 per cent of it, than the stock itself. I think no better investment could be made for the company itself and no more suitable means could be relied upon by the party who desires to obtain that money than offering this stock as security. In place of requiring a man to go to the bank and provide endorsers and meet other requirements of the bank, he goes to the loan company and says, "I have \$1,000 stock and I want you to advance me 50 per cent on it." I think it is a simple way of obtaining money mutually advantageous to the company, and to the borrower. With respect to the voting power, I am entirely opposed to the proposition of this bill, I do not think it is proper that any man should be allowed to vote unless the whole amount of the stock is paid. It is true, as the Minister says, that parties who have subscribed for the stock are liable for the payment of unpaid calls, but suppose that they are unable to meet them, what is the position? They are considered perfectly responsible until they are in default, and consequently their votes are quite as good as those of the man who has paid up the full amount of his shares. Take the case of a man who pays up the whole of

the stock he has subscribed, and of another man who has subscribed for the stock and has only paid up, say 20 per cent—those parties are not in a similar position. There should be a distinction between them. I have no doubt that a great many parties interested will appear before the committee and will have this matter properly ventilated and give their opinions upon it in order to attain the objects of the hon. mover. I have no doubt he wants to make the matter as safe and perfect as possible, both for the society and for the lender, but he must take care, at the same time, not to interfere with rights and privileges created by their previous Act of incorporation. Before this bill passes we should hear the views of interested parties and see if those provisions interfere injuriously with the powers hitherto legally conferred on them in the conduct of their business operations. When this matter is before the committee, they will consider it carefully, and perhaps amend the bill to make it satisfactory to all concerned.

Hon. Mr. AIKINS—I cannot answer the question of my hon. friend from Cape Breton, for the simple reason that he has not stated the position of that special company in Ontario. I said there were a number of companies recently organized who have been doing business in a very extraordinary way. I am quite well aware that some of them have agencies in Quebec and some in the Maritime provinces, but I am not sufficiently familiar with them myself to be able to say exactly how they should be dealt with. However, when this bill comes before the Committee on Banking and Commerce, I shall by that time make myself familiar with them and I have not the slightest doubt they will be heard from. The hon. gentleman from Rideau, and perhaps some others, think in their own minds that no better security can be given to a company than a loan on its own stock. Why did the Huron and Erie Company apply to this parliament for legislation to place them in such a position that they could not lend on their own stock? The thing is obvious to any one who knows these societies. The Huron and Erie is one of the best conducted companies in Western Ontario. They have over a million dollars in deposits. They are anxious to place themselves in the very best possible position before the British public when they go to float their

debentures. What they say is this, the securities that we hold are of that kind that if there is a run on our deposits we can easily raise the money on them. If our debentures are not renewed as well as we would like, we can dispose of securities for the purpose of covering them. What do they do with regard to stock? You can sell mortgages. But how can a company sell its own stock? The man who borrows may become a defaulter; what can you do with him? You cannot do anything. They could not take their own stock on the street to sell it, but there is no difficulty whatever, if they get into trouble, in taking their securities to the bank and getting an advance upon them, no difficulty about disposing of them on the street, but they could not do that so well if they held a large amount of stock. The Huron and Erie desire to place themselves right with the British money-lenders. There is nothing so sensitive as capital, and the people at home can understand this very well—that is, if they take the securities that are doubtful of any kind, for instance stocks; they know very well they could not realize on them if they got into trouble. That is the reason these companies apply to this House, so that they may be restrained and placed before the British money-lender, so that they can borrow money to the best advantage. All these questions will be discussed before the Committee on Banking and Commerce, and, as I suppose that committee will not meet until after the adjournment, there will be ample time for all the companies to appear before the committee.

Hon. Mr. McDONALD (C.B.)—The point to which I wish to call attention is this, and to illustrate it, I will mention the case of the Canada Mutual Loan and Investment Company of Toronto. That company is incorporated in the province of Nova Scotia on the basis of its incorporation in the province of Ontario. It is also incorporated in the province of New Brunswick and province of Prince Edward Island. The question is, will this bill, if it passes, interfere with the working of that company in Nova Scotia, New Brunswick and Prince Edward Island? I see this bill is confined to the province of Ontario, and what I wish to have considered is whether the bill will interfere with the operations of the company as it is incorporated in the lower provinces.

Hon. Mr. AIKINS—Is it incorporated by this parliament?

Hon. Mr. McDONALD (C.B.)—No.

Hon. Mr. AIKINS—Then there is no jurisdiction. They must look to the local legislature.

The motion was agreed to and the bill was read the second time.

THIRD READING.

Bill (54) "An Act to incorporate the Edmonton District Railway Company.—(Mr. Perley.)

The Senate then adjourned.

THE SENATE.

Ottawa, Friday, 27th March, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

TORONTO, HAMILTON & BUFFALO RAILWAY CO.'S BILL.

THIRD READING.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (70): "An Act respecting the Toronto, Hamilton and Buffalo Railway Co." without amendment.

Hon. Mr. MCKINDSEY moved that rule 70 be suspended and that the bill be read the third time presently. He said: The bill contains a clause requiring the payment of a large amount of money to be distributed amongst creditors of the railway company. Of course, it will not be law when it passes the third reading to-day, but I have no doubt that the company will go on distributing the money to those who are entitled to it if the House will allow it to be read now.

The motion was agreed to and the bill was read the third time and passed under a suspension of the rule.

CIVIL SERVICE ACT AMENDMENT BILL.

FIRST READING.

Hon. Sir MACKENZIE BOWELL introduced Bill (N) "An Act further to amend the Civil Service Act" and moved that it be read the first time. He said:—

I think it is well, as the bill is important, affecting some of the lower grades of civil servants, that I should give some explanation in order that the House may be in possession of some of the reasons why the Government have introduced this measure. The Act passed last session to amend the Civil Service Act requires amendment in order to remove an injustice worked by it to third class clerks who have been in the service since 1882. Section 12 of the Act amends Schedule B to the Civil Service Act by striking out of it

"(f) Third class clerks ;"

"(g) Messengers, packers and sorters ;"

and there is no saving of the rights of employés of these grades who are now in the service. The effect would seem to be that under section 3 of the principal Act (R.S. C., chapter 17) these employés are no longer members of the Civil Service for the purposes of the Act, and are in the same position as outsiders. The appointment of a third class clerk to the second class under the Act is not a promotion, but a new appointment, and the qualifying examination must be passed, even in the case of a clerk who has been in the service continuously since 1st July, 1882, and has passed the promotion examination. Another effect is that if such a clerk is over thirty-five years of age he can never be promoted. It certainly was not the intention of the framers of the Act that it should have this effect; therefore section 2 of the proposed bill is intended to remedy the mistake. It adds a proviso to section 12 saving the rights of third class clerks and messengers, packers and sorters who were appointed before the Act of 1895 came into force. Clause 1 of the bill declares the meaning of the word "new" in section 8 of the Act of 1895. It is clear that the time referred to was intended to be the day upon which the Act came into force, viz., 1st January, 1896, but in view of the provision of paragraph 24 of section 7 of the Interpretation Act, it has

been suggested that the time referred to is the day upon which the Act was presented for the royal assent, viz., 22nd July, 1895. The Justice Department is of opinion this view is correct, but open to doubt, it is well the meaning of the clause should be made clear. Under section 8 as it stands temporary clerks now employed may be continued without passing any examination, but temporary messengers now employed cannot. There seems no good reason for this distinction. If either class should be required to pass an examination, one would suppose it should be the clerks. Section 2 of the bill is intended to remove this apparent anomaly. Section 4 provides that hereafter no third class clerk, or permanent messenger, packer or sorter shall be appointed. It is by no means clear that the object of this clause has been effected by the Act of 1895. Permanent messengers, at all events, can still be appointed. See sections 6, 10 and 29 of the principal Act, as amended. Under the circumstances it has been deemed advisable to introduce an amending Act for the purpose of amending these anomalies.

The bill was read the first time.

STEAMBOAT ENGINEERS' LICENSING BILL.

FIRST READING.

Hon. Sir MACKENZIE BOWELL introduced Bill (M) "An Act respecting the inspection of Steamboats and the examination and licensing of engineers employed on them," and moved that the bill be read the first time. He said: This is simply a consolidation of the Acts now on the statute-book, with some slight amendments.

The motion was agreed to and the bill was read the first time.

AN ADJOURNMENT.

MOTION.

Hon. Sir MACKENZIE BOWELL moved

That when the Senate adjourn to-day it stand adjourned until Tuesday, the 7th April, at 8 o'clock in the evening.

The motion was agreed to.

BILLS INTRODUCED.

Bill (72) "An Act respecting the Montreal Park and Island Railway."—(Mr. McMillan.)

Bill (4) "An Act respecting the liability of Her Majesty and public Companies for labour used in the construction of public works."—(Mr. McMillan.)

Bill (71) "An Act to provide for the amalgamation of the Bay of Quinté Railway and Navigation Company and the Kingston, Napanee and Western Railway Company, under the name of 'The Bay of Quinté Railway Company.'"—(Mr. Clemow.)

Bill (82) "An Act respecting the Kingston, Smith's Falls and Ottawa Railway Company."—(Mr. Clemow.)

Bill (81) "An Act to revive and amend the Act to incorporate the Alberta Irrigation Company."—(Mr. Perley.)

THIRD READINGS.

Bill (48) "An Act respecting the Canadian Jockey Club."—(Mr. McKindsey).

Bill (F) "An Act respecting the Canadian Historical Exhibition."—(Mr. MacInnes, Burlington).

PONTIAC PACIFIC JUNCTION RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. CLEWOW moved the second reading of Bill (53) "An Act respecting the Pontiac Pacific Junction Railway Company." He said: This is a bill to enable the Pontiac Pacific Junction Railway Company to extend its line of railway in a westerly direction and build a bridge over the Ottawa River at Calumet Island. It also gives power to construct a line from its present south-eastern terminus, Aylmer, to Hull, and thence across the Ottawa River to some point in the city of Ottawa. This is rendered necessary owing to the fact that this power was given to the company originally. Some years ago they made an arrangement with the Canadian Pacific Railway Company by which they considered they acquired the road between Hull and Aylmer. But since that time another arrangement has been made by the Canadian Pacific Railway Company by which this line between Hull and Aylmer has gone out of their hands and passed into the hands of the Hull Electric Railway Company.

Therefore it is necessary that the Canadian Pacific Railway Company should now have power to construct a line to give them access to the city of Ottawa, and particularly to connect with the interprovincial bridge over the Ottawa at Nepean Point.

The motion was agreed to and the bill was read the second time.

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, 7th April, 1896.

THE SPEAKER took the Chair at Eight o'clock.

Prayers and routine proceedings.

BILLS INTRODUCED.

Bill (28) "An Act to incorporate the Huron and Ontario Railway Company."—(Mr. McMillan.)

Bill (O) "An Act further to amend the Fisheries Act."—(Mr. Ferguson.)

PROTECTION OF NAVIGABLE WATERS BILL.

FIRST READING.

Hon. Sir MACKENZIE BOWELL introduced Bill (P) "An Act to amend the Act respecting the protection of navigable waters," and moved that it be read the first time. He said—This bill is to cover the particular case to which the hon. member from Victoria called my attention a short time ago when introducing a short bill providing for the safety of wrecked materials. It is doubtful whether the Act respecting the protection of navigable waters, as it stands upon the statute book to-day, gives the government the power to enter the road, or the waters of the sea which are really within the three mile limit, in order to remove obstructions which are caused by the wreck of vessels, or to remove obstructions, as in the case of the San Pedro near the Harbour of Victoria. That vessel has been lying there for a number of years, an unsightly wreck, and gives an idea of the unsafe y of the channel, which really

does not exist. It is also in contemplation to build a lighthouse near to, or probably on the spot where that vessel now lies wrecked.

Hon. Mr. MACDONALD (B.C.)—The same rock.

Hon. Sir MACKENZIE BOWELL—This bill is to enable the Government to insist upon its removal by the owner, or to remove it themselves at the owner's expense and sell the material afterwards.

The motion was agreed to and the bill was read the first time.

THE MANITOBA SCHOOL QUESTION.

THE COMMISSIONERS' REPORT.

Hon. Sir MACKENZIE BOWELL laid on the table of the House the report of the commissioners appointed to confer with the government of Manitoba on the subject of the schools of that province.

Hon. Mr. SCOTT—I presume this report will be printed and that we shall not have to wait for the order of the committee.

Hon. Sir MACKENZIE BOWELL—I think the suggestion is a good one, and I move that the clerk be authorized to have the report printed without reference to the Printing Committee, so that it can be distributed to-morrow.

The motion was agreed to.

THIRD READINGS.

Bill (60) "An Act respecting the Thousand Islands Railway Company."—(Mr. Sullivan).

Bill (45) "An Act to incorporate the Schomberg and Aurora Railway Company."—(Mr. Aikins, in the absence of Mr. McKindsey).

Bill (63) "An Act to amend the Act incorporating the International Radial Railway Company."—(Mr. Aikins, in the absence of Mr. McKindsey).

Bill (79) "An Act to incorporate the National Sanitarium Association."—(Mr. Vidal, in the absence of Mr. MacInnes Burlington).

CIVIL SERVICE ACT AMENDMENT BILL.

SECOND READING.

Hon. Sir MACKENZIE BOWELL moved the second reading of Bill (N) "An Act further to amend the Civil Service Act."

Hon. Mr. POWER—The hon. the First Minister gave some slight explanation of this bill when he introduced it, but I regret that he has not gone a little more into detail now. I presume, however, that the details will be discussed when the House goes into committee. Meanwhile, I think that this bill, taken in connection with the Act which it proposes to amend, is an illustration of the wrong way to deal with public business. The original Civil Service Act, or the Civil Service Act as we have it in the Revised Statutes, was based largely upon the reports made by the Civil Service Commissioners. There was a commission in 1868, and another one in 1882, of which the hon. gentleman from Burlington was the chairman; and the Civil Service Act, as it stands in the Revised Statutes, was largely based upon those two reports. Now the Act passed last year was not based upon anything but the—I should be tempted to say whims—but, at any rate, the individual, and not very well considered, ideas of one or two members of the government; and, as might have been expected, immediately when this measure came to be put into operation it was found to be defective in two or three important points; and the bill which is now before us is an effort on the part of the government to rectify the mistakes which they made in their legislation of last year. There is one point to which I think attention should be directed; the Act of last year really proposed to take all civil servants below the rank of 2nd class clerks out of the operation of the civil service law, and to put the patronage again into the hands of the government, and to bring the civil service into politics again, as far as the Act of last year applied. I think that is very much to be regretted. At a time when the government in the country to the South, where they have had no civil service system at all until very recently, are placing a number of those petty officers under the civil service rules, it is to be regretted that we should be here moving backwards, and

taking the lower grade of civil servants out of the Civil Service Act; and I hope that the first minister may realize the desirability of harking back a little, and that when the bill goes into committee, he will be prepared to submit some amendment which will place 3rd class clerks, or officers below the rank of 2nd class clerks, in a different position from that which they occupy under the Act of last year.

Hon. Sir MACKENZIE BOWELL—When the bill is in Committee of the Whole, we can discuss it with more freedom. I, however, dissent in toto from the deductions which have been drawn by the hon. gentleman from the wording of the bill, and I object to the interpretation which he has put on the intentions of the government. The hon. gentleman is aware that at the present moment every civil servant is entitled to exercise the franchise. None of them are disqualified. Neither will this place the lower grade of civil servants any more at the mercy of the government than they are at the present moment. The whole and sole object of the bill is to lessen, to as great an extent as possible, the expense of the civil service at headquarters, and, instead of encumbering the superannuation system with an unnecessary number of employes, that all under a second-class clerkship should occupy precisely the same position in Canada that they do in England. Take, as an illustration, the Imperial Post Office Department, where there are hundreds of employes who are nothing more or less than writers. They receive so much per diem for their work, or so much per week as the case may be, and when it is found that they are not fitted for the work for which they were employed, they are dealt with precisely as a merchant or any man carrying on business deals with his servant, where he could be dismissed, or his services dispensed with, without the formalities which now have to be gone through in disposing of the service of, or removing, any of those in the employment of the government from the work at which they have been employed. There is another advantage which the government had in view, and that is this: that where a pressure of work exists at any particular time, they can employ people who are qualified to do that work, and when the work is completed, their services can be dispensed with. If the employe is placed,

in all these grades, upon the permanent civil service list, he then is subject to payment to the superannuation fund, and he becomes what you might call a permanency, for you must have good reason for reporting to council, and then to His Excellency the Governor General, in order to get the consent to have his services dispensed with. That is when he is really not required. He has to a greater or less extent almost a patent, once, under our system, he becomes a permanent employe, whether his services are required or not. All members of governments who have had any experience in these matters know full well the difficulties that present themselves constantly in dealing with the civil service. I assure the hon. gentleman he is mistaken altogether as to the objects that the government had in view in introducing the last amendment to the Civil Service Act. The question of bringing employes under the political influence of ministers never was thought of, and I can assure him, as far as I am individually concerned, I hold that system as much—I was going to say in contempt, I would not use that word, but I disapprove of it, as strongly as he possibly can. I think from the experience which I have had individually, and the practice I have pursued, the hon. gentleman will not say that in the promotions in the departments over which I have had any control—nor do I know that it has occurred with any of my colleagues—that I have asked any employe who is entitled to promotion, whether he was appointed by the late Government, or the Government that preceded it, or the present Government. The object of the present system is this, that, no matter who appoints a clerk to the service of the Government, so long as he performs his duty well, the question of his politics should never be asked, and if he proves himself to be superior to others he should receive that appointment to which he is entitled. That is the principle upon which I have endeavoured to carry on the business of the department over which I have presided, and I know it is the principle that has actuated all my colleagues. However, we will discuss this clause more fully when the bill goes into committee.

Hon. Mr. MACDONALD (B.C.)—I should like to ask the hon. gentleman if he would be good enough to consider whether an amendment could not be introduced in

this bill providing that a civil servant about to be superannuated should receive some notice. I will not dwell upon the cruelty of dismissing a servant without a day's notice. Probably the premier will see whether this bill could not be amended so as to provide that reasonable notice should be given to a civil servant who is going to be turned adrift, or be superannuated. I think it is only justice and fair play.

Hon' Sir MACKENZIE BOWELL—A moment's reflection will show the hon. gentleman, as far as this bill is concerned, that that would be an impracticable amendment to introduce. The suggestion, however, is a good one, and although there may be exceptions to it, that principle as a rule is carried out, either by giving the party who is going to be superannuated leave of absence for a considerable time, and when that is done it is done on full pay, or to tell him that at a certain time the superannuation will take place. The suggestion is a good one, and ought to be carried out in practice.

The motion was agreed to and the bill was read the second time.

MONTREAL PARK ISLAND RAILWAY COMPANY'S BILL.

SECOND READING.

Hon. Mr. McMILLAN moved the second reading of Bill (72) "An Act respecting the Montreal Park and Island Railway Co." He said:—The company received their charter in 1894 and have completed a large portion of their work. The object of this bill is to increase the capital stock, which was, at the time they received their charter, half a million dollars, which sum I am told is about being expended. They want to increase it now to one million of dollars. They also wish to remove any doubt that may exist as to the right to build a bridge at what is called the Back River, and to issue preferential stock, as well as to increase their bonding powers from \$15,000 to \$25,000 a mile. This being a suburban railway, they wish to have the power to issue bonds in sections of the road, if necessary. Anything further that may be in the bill is a matter of detail to which I need not at the present refer. It will receive due consideration from the Railway Committee.

The motion was agreed to, and the bill was read the second time.

LIABILITY FOR LABOUR ON PUBLIC WORKS' BILL.

SECOND READING.

Hon. Mr. McMILLAN moved the second reading of Bill (4) "An Act respecting the Liability of Her Majesty and Public Companies for labour used in the construction of Public Works." He said :—This important measure is for the purpose of protecting labourers that may be employed in the construction of public works. The object of the bill is to retain in the hands of the government any moneys that may be placed there by the contractor for the purpose of guaranteeing the completion of his work, and by giving a certain notice, that this money will be paid to the labourers employed on such public works. It also refers to cases where the government have granted a bonus by the action of Parliament, that there will be a condition attached to such grants that Her Majesty may retain as much of the money as may be necessary for the payment of all claims for wages. The requisite machinery, of course, is given in this clause in order to accomplish that. There is a further clause where a company may be incorporated for the purpose of building a railway, or any other public work, such as canals, telegraph lines, etc., where it is understood by virtue of accepting that charter that they will be expected to pay the labourers employed on the work, whether it is done by themselves or by contractors or by sub-contractors. The bill was introduced in the House of Commons by the hon. member from Glengarry, and his long experience and knowledge of public works no doubt prompted him to seek this legislation in order that labourers might be fairly dealt with in case the parties employing them should not wish to do so. After receiving its second reading in the House of Commons, the bill was referred to a special committee, where it went through rather a crucial test and received the special attention of the Minister of Railways and the Minister of Public Works, both of whom are in accord with the bill. It is not necessary to explain the necessity for such a law. I have no doubt many hon gentlemen present are aware of occasions that really showed the want of such a law upon our statute books. As far as I am myself concerned, I know of two in my own county. For instance, when the Canada

Atlantic Railway charter was obtained, the first company got large bonuses from some of the municipalities through which the railway passed, and the bonuses were spent otherwise than in the payment of debts due to the labourers, and the consequence was that the labourers never got their money. There was another instance in the building of the Canadian Pacific Railway from Smith's Falls to Montreal where a sub-contractor had pocketed the wages of the labouring men, who had been employed on the works three or four months. He went away between twilight and dawn. The contractors, I may say, did not belong to the county of Glengarry. This bill, I submit, is very necessary, and the labouring classes of the community ought to be very grateful to the hon. gentleman who presented it to the House, and to the government also who have assisted him in procuring the necessary machinery to enforce it and are willing to have all moneys in their hands made a preferential claim, so far as the labourers are concerned.

Hon. Sir MACKENZIE BOWELL—I should like to call attention to the clauses of the bill. I confess I had not looked at the clauses very attentively until a few minutes ago. I hope the hon. gentleman will explain to the House how it will be possible to follow the sub-contractors. I can see the necessity of protecting the labourers to the fullest possible extent, by holding the moneys in the hands of the government until these debts have been paid, but a contractor taking a piece of work, his claim for payment would rest upon the certificate of the engineers whose duty it is to report to the government before the contractors can be paid from the subsidy. Supposing the contractor requires money to pay his sub-contractor who employed the men, would the government, under those circumstances, have to send an officer to inquire how much the sub-contractor owed to the labourers, or parties from whom he had purchased material which was used in the construction of the work, and then to ascertain whether he is honest enough to pay those men before they give him the money?

Hon. Mr. McCALLUM—You could keep the deposit on the drawback.

Hon. Sir MACKENZIE BOWELL.—That deposit is always kept, as the hon. gentleman suggests, but that is dealing with the contractor with whom the government has entered into an agreement to perform the work, not with the sub-contractor. The sub-contractor is to the contractor the same as the labourer is to the sub-contractor. There may be a practical way of meeting this difficulty, but it does not present itself to me at present. I simply throw out the suggestion in order that my hon. friend may be able to show how this can be practically worked out. I fully concur in the principle of the bill, because many cases have come under our observation in which the parties who furnish the material for carrying on the work have been cheated, and the unfortunate labourers were also cheated out of their earnings, and any law which can be framed to protect them will have my support. I only noticed, in looking at the bill, that that particular clause struck me as being one which it would be impossible, to my mind, to carry out practically.

Hon. Mr. McMILLAN—I beg to state in reply to what the hon. First Minister has said, that it appears there is a typographical error in the first line of the fifth clause; that is, in the word “such,” which ought not to be there. That would make this clause refer to the former clauses, though it has reference more particularly to companies that get their charters here and accept them, with the understanding that they are to pay the labourers. Now, clause six has no reference to the government, but simply to the company getting their charter here, who employ a contractor or sub-contractor to do the work, and then the foreman of such work is to notify the company within a certain time—I think it says within two months—and they are the parties to see that the labourers are paid, and not the government.

Hon. Mr. POWER—I hope the promoter of this bill will take the advice of the First Minister. There is no doubt that the evil which this bill is intended to remove has prevailed for a great many years, and there can be no question that if any speedy and easy remedy could have been found it would have been adopted by Parliament long ago. The bill is in the right direction, but I quite

agree with the leader of the house in thinking that in its present shape, at any rate, it is more or less imperfect. In addition to the point to which the hon. First Minister has referred, I desire to call the attention of the House to what I consider a most serious omission in this bill. The bill provides that under certain circumstances the government may pay the labourers, but it does not contain any provision that the amount paid to the labourers shall be deducted from the amount payable to the contractors. As I read the bill, the government might pay the labourers, and the contractors could still sue for the amount of money unpaid to them. It would be necessary in order to remedy that to provide that there is no loop hole through the existence of which the country might be obliged to pay for public works twice over. We have already in some cases paid for public works vastly more than we should, and I do not think that we should leave any opening for increasing that practice in the future. The hon. gentleman proposes to introduce “each” for “such” in the 5th clause.

Hon. Mr. McMILLAN—No; eliminate “such.”

Hon. Mr. POWER—I was going to say, it occurs to me that in order that this measure may receive the attention which it demands, it might be a wise step on the part of the hon. gentleman to move that it be referred to a special committee, because in a committee of the whole House, measures do not as a rule receive the careful and minute consideration that they sometimes require.

The motion was agreed to, and the bill was read the second time.

Hon. Mr. McMILLAN—I am anxious to get this bill through as quickly as possible. If it were not for that, I would accept the suggestion thrown out by the hon. member from Halifax. I therefore move that the bill be referred to a committee of the whole House on Thursday next, in order that we may get it through at once.

The motion was agreed to.

THE PRINTING OF PARLIAMENT.

The order of the day being read:

Consideration of the second report of the Joint Committee of both Houses on the Printing of Parliament.

Hon. Mr. DEVER said:—The Chairman of the Printing Committee is still absent and I would therefore suggest that this report be allowed to stand.

Hon. Mr. MACDONALD (B.C.)—I would call attention to the fact that many important reports have not been printed, owing to the delay in adopting this report. There is one especially, the report of the Alaska Boundary Commission, which should be printed and distributed. Would it not be well to have that printed without waiting to have the report of the committee adopted? I shall move to-morrow that this report be printed.

Hon. Sir MACKENZIE BOWELL—I do not think that is the regular mode. It is moving a motion which would incur an expenditure of money. If we let it be understood that the clerk is to have that return printed, then it would afterwards be covered by the adoption of the report.

The motion was allowed to stand.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, 8th April, 1896.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE LIVE CATTLE EXPORT TRADE.

MOTION.

Hon. Mr. BOULTON moved—

That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before the Senate, a copy of all papers relating to the preservation of the health of Canadian herds of cattle and other live stock, and also inquired what steps are taken to insure the healthfulness of all live stock shipped from Canadian ports.

He said:—I do not know that any more interesting or important question can be brought before this House than the one which I have placed on the order paper. It relates not only to a very extensive portion of our export trade in agricultural products, but also to the still more

important question of the preservation of our own herds of cattle. Ever since 1892 our cattle have been scheduled from entering Great Britain and being transported into the interior for sale there as stockers. Before that we had the privilege of sending our cattle across and either selling them at the port of entry, or sending them to the interior to any of the cattle markets, from one market to another, wherever the most profitable sale for them could be obtained. In consequence of the dread that the English people have of the spread of infectious diseases, this was forbidden, rightly or wrongly, so far as the health of our cattle is concerned, I am not prepared to say. However, I am quite aware of the fact that the people of England attach immense importance to the most stringent measures being taken for the preservation of the health of the cattle and for the prevention of the spread of disease. The efforts that they make are of a most unusual character. They have, of course, enormous herds of cattle. In catering to the large population that is centered in the United Kingdom, large herds of cattle are stabled, stall fed and fed artificially, and it becomes very necessary indeed that the most stringent regulations for the preservation of those herds should be taken. A neighbour of mine in Manitoba, who had come out from England, told me that the inspector came to his stables one day in England and slaughtered and burnt one hundred head, every single animal he possessed, because of the infection of one or two animals in that herd. I only mention that incident to point out to you that the most valuable animals may be destroyed—that no respect to price or quality or anything else entered into the question. Those animals happened to be in the same stable in which one of the animals was infected with the disease of pleuropneumonia and the whole herd had to be destroyed. He had no redress except what the law provided as compensation for that. I have no doubt that he was compensated to a degree, but of course no compensation could make up for the loss of his whole herd. That is just one instance that was brought before my own notice, and it shows you what stringent measures they take in Great Britain for the purpose of preserving the health of their herds. The question of our cattle going in and being placed in stables alongside of the herds of Great Britain,

where they are put up for feeding, is and has no doubt been at the bottom of the restrictive regulations. The danger of infection and the fact that we do not take the same stringent measures that they take themselves there, is probably the reason why our cattle are scheduled. A great many think it is a measure of protection, that in consequence of the distress in agricultural districts this is done as a measure of protection. I am not prepared to discuss that point, but I do not know that it can really be charged to that, the same cattle though not marketed in the interior, are slaughtered and sold at the port of entry. So that protection, so far as restriction in sale at port of entry is concerned, affords no protection to the British farmer in regard to values. We find that the Scotch farmers are dead against the action of the British government, because they carry on their agriculture mostly, by feeding. They grow large fields of turnips and other classes of food for stock largely, and their agriculture is mainly carried on by feeding in the winter, not breeding, but feeding in the winter, and in the east of England it is very largely the same thing. In Ireland it is grazing. Ireland raises stockers for English feeding. I believe the export of cattle from Ireland to England annually amounts to over 600,000 head. They are mostly stockers for feeding purposes. It is possible the fear of Canadian cattle entering into competition with the exports from Ireland may have something to do with the policy of which we complain, but I am inclined to think that the influence of the very large proportion of the farmers of Great Britain, who are in favour of it, would probably offset any influence of that kind. The farmers in England and Scotland are very anxious to get the very best class of animals they can for feeding purposes, healthy growing animals such as we can raise. It is a valuable market for us and a valuable industry. I am not disposed to take the extreme view which a great many people take that when we are cut off from that trade it is an absolute loss, because it is not. It forces us to prepare our cattle at home and spend so much more upon them, but we probably have not learned the art of feeding to the same extent as they have in Great Britain, we have not the capacity for feeding economically and putting the same amount of beef on our own animals as a rule, although we

have some excellent feeders in the country—I am not prepared to cast a reflection on our farmers but where this system of feeding is made a specialty, as it is in the old country, possibly they can afford to give us better prices for our stockers and sell them than if we were to feed them ourselves and sell them at the port of entry at Liverpool. However that may be, I am not prepared to say that it is an unmixed evil, if it teaches us the value of our cattle in the winter time, of growing turnips and bringing about rotation of crops and extending our agricultural industries. However, it is not desirable that we should be excluded from a trade of that kind, for there are districts, especially in Manitoba and the North-west Territories, where our grazing is very fine and very rich, where on pasture alone we can mature our animals at a very early age and send them home in good condition, weighty animals, requiring the minimum of food in order to make them bring very good prices indeed, and therefore, for us on the western prairies, and possibly in many districts of Canada, where the grazing is good, it is a disappointment to many of our farmers to be cut off from that trade. I think that our government should put forth every effort they possibly can in order to secure the continuance of that trade if it is possible. The determination of the British government seems very great, and in the face of the opposition to the bill that is now pending there, they must have some very good reason indeed for their determination to maintain the exclusion of Canadian cattle. It is not in a spirit of unfriendliness, and I doubt very much really if it is in a spirit of protection.

Hon. Mr. COCHRANE—I think it is.

Hon. Mr. BOULTON—That is a matter of opinion. It is in order to extract such an opinion from such men as my hon. friend who has just spoken that I have brought this question before the House. At any rate, he will give me credit for attempting to sift the thing in order that his cattle, which he exports so largely and which have such a fine character, should not be excluded from the very best markets.

Hon. Mr. CLEMON—The finest cattle that ever went to England.

Hon. Mr. BOULTON—Yes, the finest cattle that ever went to England. I do not know that he loses so very much by the restrictive policy in England, because they are in a condition for beefing at once, and I do not know that he suffers to such an extent as many of our farmers who have not the facilities for preparing them so highly as the hon. Senator from Compton is able to do—off the grass—but what I desire to point out is that the British government take these stringent measures because they are desperately anxious to prevent the spread of disease among their herds, and that they shall not be put to the expense of slaughtering large herds of cattle through possible infection. It will be in the recollection of many hon. gentleman that fearful devastation which took place when the rinderpest, some thirty years ago, spread over the whole British Isles and the losses at that time were enormous, and I have no doubt that it is the dread of contagious diseases being brought to their shores by cattle over which they have no control that is forcing the British government to pass this particular bill. In order to show that we are not without friends in Great Britain, I will read an extract from a speech made by Mr. Price, a member of parliament, when the cattle bill was up for discussion. He said :—

To the people of Norfolk it was, indeed, the most important question which had come before the legislature for many years, and they were greatly opposed to the principle of this measure. On the 14th instant, at a meeting of the Norfolk Chamber of Agriculture, held at Norwich, a resolution was passed hostile to the present bill, and not a single word was said in its favour. (Hear, hear.) At the present moment the condition of things in Norfolk was absolutely desperate, but the permanent exclusion of Canadian cattle would complete their state of utter ruin. He contended that in order to have a proper ground for the permanent exclusion of Canadian cattle the government must show a distinct case of danger of enormous injury being inflicted upon certain portions of the country for safety and benefit to other parts. Whenever the question of risk was considered the Board of Agriculture said that the disease was highly infectious; when, however, it was pointed out that in Canada, if the disease was very infectious, it must have infected the Canadian herds long before, the board said the disease was very slightly infectious, if at all. According to the experts of the board, only sixteen cases of disease had been brought over. He could only find in the books five or six such cases; but whatever the number, it was very small. The Canadian government contended that they had never had a case of infectious pleuro-

pneumonia there, and that they could not, therefore, slaughter the animals. He believed the few cases that had arrived here had acquired the disease in transit. From 1880 to 1890 the Canadians imported into this country 1,300,000 odd cattle, among which there was not a single case of disease. In 1890, at the time of the great epidemic over here, there was one suspicious case; but from 1890 to 1892 more than 200,000 cattle had come over from Canada, while no suspicious case occurred until September, 1892. After that date until the period when the Order in Council directed compulsory slaughter of Canadian cattle on their arrival came into force, some 13,000 Canadian cattle were landed, all of which were found to be free from disease. The Board of Agriculture had not made a proper microscopical or bacteriological examination of the so-called diseased cattle, without which it was impossible for even experts to establish the exact nature of the disease. The Canadian government had made the very handsome offer to the Board of Agriculture, that if the latter would send over their own experts to examine the cattle in that country they would pay all the expenses incurred. * * * That, at all events, was a mark of the confidence which the Canadian government had in the health of their cattle. He suggested that if the bill were read a second time, with a view to giving time for further investigations, a clause should be inserted to the effect that on and after 1st January, 1897, it should be competent to the Privy Council, on the recommendation of the Board of Agriculture to allow the importation of colonial cattle under such regulations as the Board of Agriculture might think proper. He sincerely hoped that the right hon. gentleman would not be successful in passing the bill; but, if he should succeed in so doing, he trusted that the right hon. gentleman, in view of the serious injury this measure would inflict upon the east of England and Scotland, would introduce some such provision as that which he had suggested, in order to meet the views of those who objected to the bill. (Hear, hear.)

Now hon. gentleman that is a very valuable contribution to the question that I have brought before the leader of the government, and it only shows the anxiety of prominent men and Boards of Agriculture and farmers of all kind that the privileges should be extended—quite as anxious as we are to have the privilege of being able to send to British farmers our cattle, and as I said before, I am inclined to think that the fear of contagion has a great deal more to do with it than anything else. So far as our own Canadian cattle are concerned, I am quite aware that they are comparatively free from any disease, but at the same time when our herds increase, when they are confined in stables, when they are highly fed, especially our bulls, it is possible that disease may be generated and may creep in unless great watchfulness on the part of the authorities, both by warning farmers con-

tinually of the danger of contagious disease, and looking continually after the health of herds, in order that any disease may be controlled by watchfulness, on the principle that prevention is better than cure. Injudicious feeding will undermine the constitution of an animal and will make it, or its progeny, more liable to disease than when the preservation of health has been duly guarded. There is another thing also which I have no doubt weighs very largely with the British government in this matter, and that is that we export not only Canadian but foreign cattle also from our own ports. We saw in the paper the other day that 2,300 head of United States cattle were shipped from the port of St. John. Now we have no control over these cattle. We cannot say whether they are diseased or infected in any manner at all, and what precautions are we taking in regard to those animals? They go over as Canadian cattle; they go over in Canadian steamboats.

Hon. Mr. COCHRANE—They do not go as Canadian cattle at all. There are proper precautions taken with regard to those cattle going through.

Hon. Mr. BOULTON—That is exactly what I have asked the question for. The hon. gentleman from Compton is probably aware of this himself, because he is a very large shipper, but the public don't know and the public want to know, and it is essential that the public, who are interested, should know that these precautions are taken. What I say is that if 2,300 cattle go from the port of St. John to Liverpool on a Canadian steamer, they are generally looked upon and accepted as Canadian cattle. They go on a vessel which will probably carry our own cattle, and I want to know what the precautions are that the hon. gentleman alluded to. I bring facts before the notice of the government, and it is a question whether we should let the entry of cattle into England go in order that we may secure the carrying trade of cattle from the United States, or cut off the carrying trade of cattle from the United States, in order that we may control entirely the health of our own cattle here. These are questions which are worthy of consideration and worthy to be brought before the notice of the government, and the object of my question is merely to elicit that

information and to impress upon the government the advisability of leaving no stone unturned in order that this bill, that is now being passed in England shall not be of such a character that we shall be permanently excluded; that if we can take such measures as satisfy the government that our precautions are ample for the preservation of the health of our own animals and for the prevention of the dissemination of disease through carelessness on our part, and if they are of such a character that they can relax the operation of that bill in our favour. I believe, myself, that if we were to offer to the British government to make such arrangements as are satisfactory to them that probably they would relax the bill to that extent. As I said before, it is not from unfriendliness, and I doubt very much if it is for protection. I think it is an honest desire on their part to protect the vast herds of valuable animals that they themselves possess. However, it is one of those questions that requires to be taken in time. The bill is now on its passage through the British House of Commons, and of course when it is once passed it will be much more difficult to undo the evil, and as Mr. Price of Norfolk suggests:—

If the bill were read a second time with a view to giving time for further investigations, a clause should be inserted to the effect that on and after 1st Jan., 1897, it should be competent to the Privy Council on the recommendation of the Board of Agriculture to allow the importation of colonial cattle under such regulations as the Board of Agriculture may think proper.

Now, if our government could secure the insertion of such a clause as is suggested there by the representative of Norfolk, they would accomplish a great deal for the farmers of Canada. The farmers would at any rate feel that there was some prospect of the schedule being taken away under certain circumstances, and a restoration of this valuable trade in stockers would take place in the interests of our farmers.

Hon. Mr. COCHRANE—It is very rare, in fact I do not know that it has occurred more than once or twice in twenty years, that I have risen to speak a word in debate here, and I do not intend to say much now, but the subject which the hon. gentleman has brought up is one with which possibly I may be a little more familiar than many hon.

members here. At the outset I must differ from him. He is very sensitive about our English friends and thinks that it is not protection they want. I believe it is purely and simply protection. Is it possible that we could have had pleuro-pneumonia in this country and never discovered it? People who know anything about the breeding or handling of cattle, and anything about cattle diseases, know that it would not be possible to have it in a herd without it making itself known. It is the most contagious of diseases. In my opinion the English policy is simply a policy of protection. The alleged cases of pleuro-pneumonia that have been discovered in England have not been cases of pneumonia, though something approaching it. Whatever cases they have found there have been caused by bad treatment on the passage and they make the most of them. The present leader of the other House time and again proved, whenever they pretended to have discovered a case of pleuro-pneumonia, that it was some other disease, and then it all passed over and there was no more trouble for the time being. But periodically the English authorities have found those cases, and they seem determined to find them. I do not so much find fault with the British farmer, wanting protection; but I do find fault with them for not calling it by the right name, instead of misrepresenting us to other countries. There are other markets for our store cattle, France, Belgium and other parts of Europe, but they say "England says you have disease in your herds and we cannot take your cattle." If our English friends would simply say "we will not let your cattle in here alive, but will have them slaughtered at the port of entry," instead of cursing us in the eyes of other nations, there could be no objection. As to sending our stockers to the old country, there is a certain portion of this Dominion to which, perhaps, it is an advantage, but the exclusion of our live stock does not look to me such a grave evil after all. I believe that we should feed our cattle and ripen them and get all there is in them. It leaves our farms better—we are feeding out our coarse grains, and as the hon. gentleman from Shell River says, with the exception of a very few of our farmers we are not so well up in the business as the Scotch and others in the old country. I admit the correctness of that to a certain extent, but there is no

reason why we cannot learn to feed our cattle and ship them as beef. In reference to the North-west cattle, if I consulted my personal interest in this matter, I should rather have them scheduled than the other way. Our cattle are compelled to be slaughtered. While the ports were open and free to everybody, our cattle had always to be slaughtered, simply because we could not take them over they were so wild, but still, as a rule, they were fit to be slaughtered when they went there, so I do not think it is such a great grievance after all; but this is the grievance, that they curse us in the eyes of other countries, and I think it is quite right that the government should make every protest they possibly can, but I do not believe their protests will amount to anything.

Hon. Mr. FERGUSON (Welland)—It is very gratifying to this House and the country to hear a gentleman of the knowledge and extended experience of the hon. member from Compton bearing the testimony that he has borne in this House as to the healthy condition of our cattle, and also giving contradiction to what might be rash statements when they are published in the press and handled in the old country against the interests of Canada. I believe this motion is exceedingly ill-timed when our friends in England are endeavouring to prevent the passage of the bill now before the British House of Commons. The hon. gentleman from Shell River has delivered a speech in which he says that we are not taking care, and have not taken the care in this country that they take in England, to prevent disease from getting amongst Canadian herds.

Hon. Mr. BOULTON—I never made any such statement.

Hon. Mr. FERGUSON (Welland)—The statement was badly made but I think that it is very fairly interpreted to mean that. Although perhaps in its literal terms it does not say so, it is an insinuation that we have disease among our herds, because the hon. gentleman wishes to know what measures the Canadian government are taking to stop that disease.

Hon. Mr. BOULTON—I never insinuate.

Hon. Mr. FERGUSON (Welland)—That is the whole tenor of the motion,—he wants

to inquire whether the Canadian government is taking active measures for the purpose of obliterating disease in this country, and what measures they are taking to prevent the export of diseased cattle from this country.

Hon. Mr. BOULTON—The hon. gentleman must not mis-quote me. If he will read the question I have asked he will see that I am asking for copies of papers relating to the preservation of the health of Canadian herds of cattle and other live stock, and inquiring what steps are taken to ensure the healthfulness of all live stock shipped from Canadian ports. Is there anything in that question, I should like to ask the hon. gentleman, in which I insinuate that there is disease in Canadian cattle?

Hon. Mr. FERGUSON (Welland)—The only question in England to-day is as to whether any other disease than pleuro-pneumonia prevails, so this motion, as interpreted in England, will mean that particular disease which the English people object to as going into their country. I would just like to bear testimony on one particular point and that is the subject of protection in England. I met the deputation of tenant farmers when they were in this country, and discussing this question with them, I said: Is it possible that you are seeking protection in England? The answer was "why not we farmers be protected in England as well as you farmers in Canada? Why are we not entitled to a measure of that kind as much as you are entitled to it in Canada?" I said, as the hon. member from Compton has said, "we have no objection to that in Canada, but we do object to your branding the cattle of this country as being unfit to enter any market. Put it upon the ground of protection, as we honestly do in Canada, and we have no objection whatever to your policy." That was my answer to that. The hon. gentleman from Shell River says that we are comparatively free from disease. What disease is complained of in England? Pleuro-pneumonia. "We are comparatively free"—that is the statement on the floor of this House, that we are comparatively free from pleuro-pneumonia in this country. When the government has said time and again, and when the experts employed by this country have stated time and again that there was no such disease

in Canada, the hon. gentleman says we are comparatively free. I say we are entirely free from pleuro-pneumonia, so far as any knowledge we have, and so far as any testimony we can find, will bear out.

Hon. Mr. BOULTON—The hon. gentleman is again putting words into my mouth that I never uttered. The rules of debate are being transgressed in a most improper way. I never uttered such words as would imply that we had pleuro-pneumonia in Canada.

Hon. Mr. FERGUSON (Welland)—I have not said the hon. gentleman did, but certainly the hon. gentleman's motion bears towards the one point. The disease they are seeking legislation to provide against in England is pleuro-pneumonia. No other disease can be referred to by this motion but the one disease, and he says in his speech that we are comparatively free from disease. What disease, I ask? Can any other interpretation be put upon the hon. gentleman's words than the interpretation that the peculiar disease which they object to in England is the disease referred to by the hon. gentleman's speech in this House. Therefore, I object to that altogether, and I think the government ought to enter a protest against the passage of any such motion by this hon. body, because we are affecting large interests, in which millions of dollars of the farmers' money of this country are invested. We are here to care for and protect those interests, and before a motion like this is allowed to pass the Senate there ought to be definite and explicit information that it is necessary, or that we have such disease in this country. I think Canada is prepared to admit it, if there is a sufficiently fair ground to say that it exists, and they are prepared to say "we will not endeavour to export or will not allow the exportation of cattle that will destroy the herds in England," on the ground that we have no such disease in this country. If we have no such disease in this country, then I say this motion is unnecessary, and particularly ill timed just now, and if it were allowed to pass this House it would produce a great deal of mischief, perhaps not only in England but in every other country to which we desire to export cattle. The hon. gentleman from Compton also said that the leader in the Up-

per House in England had said that cattle, by exposure to cold on board ship, &c., contract some disease such as we would call in an individual bronchitis, perhaps inflammation of the lungs in their closed places on those ships. Those diseases have been, I believe, mistaken by honest men in England and interpreted to be pleuro-pneumonia, but we all know that individuals, as well as cattle, in crossing the Atlantic at unseasonable times of the year, are liable to colds, and liable not only to inflammation of the bronchial tubes, but are liable to inflammation of the mucous tissue of the bronchial tubes, inflammation of the lungs, and inflammation of the substance itself, and it would require a very great expert with the most powerful microscope to detect whether or not it is pleuro-pneumonia, but we know that such disease does not exist in this country. I believe that is the universal testimony of all who know anything at all about it. If the disease does not exist in this country, it cannot be contracted by crossing the Atlantic and it does not exist I believe in England at all in the Canadian herds. I just wish to say again that I believe this motion before the House ought not to be allowed to pass and the government, if they will excuse me for suggesting, ought to enter their protest against any such speeches being made at this particular time in this House, or such motions being submitted for our consideration.

Hon. Mr. POWER—I do not always see eye to eye with the hon. gentleman from Shell River, and I do not say that I see eye to eye with him in the present instance, but I must protest against the language which has been used with reference to his speech and his motion. What is the hon. gentleman's motion :—

That an humble Address be presented to His Excellency the Governor General; praying that His Excellency will be pleased to cause to be laid before the Senate, a copy of all papers relating to the preservation of the health of Canadian herds of cattle and other live stock; and also, will inquire what steps are taken to insure the healthfulness of all live stock shipped from Canadian ports.

That is a perfectly reasonable and proper motion. If the government of this country have done their duty in this matter, they ought to be delighted that the hon. gentleman should have, by this motion, given them an opportunity to show to this country and

to England that they have done their duty; and the position taken by the hon. gentleman from Niagara is a most extraordinary position for any hon. gentleman to take—to say that when an hon. member asks for information to show what the government have been doing, he is doing a thing which is calculated to injure the reputation of Canadian cattle in the old country and all over the world. I am surprised. If I were in the place of the hon. First Minister I should feel anything but grateful to the hon. gentleman from Niagara for the line he has adopted. I have no doubt—at least I trust that the government have been doing their duty in the way of looking after our Canadian cattle and seeing that they are kept free from disease. I trust that the government have taken every step which they could reasonably be expected to take for the purpose of keeping disease out of Canadian herds, and that they have been doing their whole duty in the matter; and if they have, they could ask for nothing better than just this resolution which the hon. gentleman from Shell River has moved.

Hon. Mr. BOULTON—Hear, hear.

Hon. Mr. POWER—Both the hon. gentleman from Hillhurst and the hon. gentleman from Niagara have discussed the question as to what is really at the bottom of this movement against the admission of Canadian cattle into England; and they say it is protection. Well, I do not think we need trouble ourselves about that. It does not concern us just now. The duty of Canadian statesmen is to give to protectionists—if the people who are trying to exclude our cattle are protectionists—not the slightest pretext upon which to shut out our cattle. It is very well, hon. gentlemen, to stand up in this House and say that there is no cattle disease in Canada. As far as I am aware, there is none, but our saying that has not the slightest effect upon the minds of the members of the Board of Agriculture, or whatever the department is that deals with this matter in England. The authorities in England have acted upon the reports of experts. It is true it has been stated that those experts did not know what they were doing, or were biassed, and other things of that sort have been said, but the Department of Agriculture in England will not be influenced by what is said here in that con-

nection. It will be influenced more by the reports of its own experts, and I think we should bear in mind, hon. gentlemen, this—some years ago, about the time when the High Commissioner went down to Liverpool and took his coat off, did his duty and for once did something for the money he was costing the country the Imperial government sent a despatch to the government here in connection with this matter, which was not answered for a year. The Imperial government asked the government here to do certain things. Some of those things have not been done, and in other cases, as for instance in connection with the transport of United States cattle through Canadian territory, the Canadian government at first took steps to isolate the United States cattle in transit through this country from any possible contact with other cattle, but after a while, because the railway companies I presume felt that that was inconvenient and expensive, these regulations were relaxed. I am not an agriculturalist; I know nothing about the cattle market in England, and it may be true as the hon. gentleman from Hillhurst says that it is not a very serious loss to us to have our cattle scheduled in England. I so understood the hon. gentleman from Hillhurst, but there is no doubt that if we do not wish our cattle scheduled, our government here should have taken pains to follow out to the very letter the directions and requests and instructions which came from the Imperial government, and that they have not done. With respect to this question as to the value of the English market to store cattle, I think there are differences of opinion. Gentlemen who own such herds as are owned by the hon. gentleman from Hillhurst may be perfectly satisfied to have their cattle slaughtered on arrival at the English market. But the great bulk of Canadian cattle are not of that kind, and the great bulk, or a very large proportion at any rate, of Canadian farmers are not at the present time able to fit their cattle for slaughter immediately upon arrival in England, and it is suggested—I have heard it before in connection with other matters—things that were very desirable while we had them and which we had lost—that the right to land our cattle alive in England is not a very desirable thing after all. The attitude assumed by the government and their friends in connection with some of these matters

reminds one very much of the attitude assumed by the fox who had lost his tail and who had tried to persuade all the other foxes that tails were useless encumbrances. I think if you polled the Canadian farmers to-day you would find a very large majority of them would be very much in favour of the restoration of the privileges which they have heretofore enjoyed in the English market, and if it is a good thing for the Canadian farmer that his cattle should be excluded from the English market, why is it that so much credit is claimed for the ex-High Commissioner for his services in preventing those cattle being scheduled? You cannot blow hot and cold. Either it is a good thing that the Canadian cattle should be scheduled, or it is a bad thing, and if it is a bad thing that they should be scheduled, then the action of the High Commissioner was meritorious. If it was a good thing, then the High Commissioner was acting in a most unpatriotic manner in doing anything to prevent our cattle being scheduled. I trust the hon. Leader of the government will be in a position to stand in his place in this House and assure the hon. gentleman from Shell River, and assure the whole House, that every possible step which should have been taken by the government to secure the immunity of our herds from pleuropneumonia has been taken, and that he will be able to inform the House before he sits down that, when the papers are laid on the Table, they will show that fact most conclusively. That is the way in which we shall benefit our reputation in England, and may do something to prevent the passing of the measure which is now before the British parliament, but it is not by attempting to suppress discussion.

Hon. Mr. McCALLUM—I feel a little delicacy in rising to make any remarks on this question, knowing that there are many hon. gentlemen in this House who know more about it than I do. There has been a good deal said about the advantages and disadvantages of keeping our cattle out of England under the present regulation, but I am perfectly satisfied that it would be much better eventually for the people of this country that our stockers should be fed here and completed here. There is quite a difference in the prices of the food that is consumed to feed the cattle here and in Great Britain. What it takes to feed them is much

cheaper here than in the old country. The hon. gentleman from Shell River stated that it is not protection that the English farmers want. Then what is it? Have not the government of this country offered them every possible facility for investigation? Have they not said, "if you send your experts over to this country we will pay your expenses?" We have offered to pay all the expenses necessary to come and inspect our herds in this country, because we know that we have no disease among them. If that is not satisfactory I do not know what is. What more can we do? If they are going to shut us out in that way, all we can do is to complete our cattle here and of course there is an advantage in that. As I understand, when cattle are shipped here they are shipped at so much per head, and not so much per pound. Then if you complete our cattle here, and make them fit for the market, as the hon. member from Hillhurst says, they can slaughter them at the place of embarkation or on landing them, and I do not know, after all, that we are going to lose so much by it. What else can we do? Are we going to do any more? If the government have not done what is just and proper to try to keep disease out of the country, we know the result anyway. We have not got pleuro-pneumonia in Canada. It has never been proved that we have got it, and yet they say we should take precautions to do so and so. I know, of course, we are shipping United States cattle from the port of St. John, N.B., and I should like to get a little explanation of that. There should be some inspection to see that those cattle are healthy in every respect before they are shipped. My hon. friend says they are shipped as Canadian cattle. Well, that cannot be; they are not the products of the country. They must be shipped as United States cattle.

Hon. Mr. BOULTON—Sir Charles Tupper, in his address before the Montreal Board of Trade, said that we laboured under the difficulty that a great many of the Canadian cattle that were exported were lost as Canadian cattle because they went from New York, and, *per contra*, the United States cattle that were shipped from the port of St. John were shipped as Canadian cattle.

Hon. Mr. McCALLUM—I do not care what Sir Charles Tupper says. The business of the country must be done in a different way from that. The bill of lading must say where the cattle came from.

Hon. Sir MACKENZIE BOWELL—All cattle pass through the country in bond under quarantine surveillance.

Hon. Mr. McCALLUM—Yes, and if we ship cattle through the United States they should pass through in bond too. I feel perfectly satisfied, and I think the people of this country feel satisfied that the Canadian government have done all they can to assist the farmers in this matter and I feel satisfied too that the object of the farmers of Great Britain is to keep Canadian cattle out to prevent competition. Of course many Scotch farmers are anxious to have the privilege of buying stockers—that is cattle half fed and complete them there. If the British farmers want protection, all we can do is feed our cattle here, and if they try to shut us out altogether, we must slaughter them here and send home beef. I think we can do that by and by. Any country that will raise wheat and beef is a pretty safe country to live in generally. We can raise plenty of both here. All we want is a little encouragement, and we will be able to get along.

Hon. Mr. COCHRANE—I should like to say one or two words which I omitted. I mentioned that it is protection for the English farmer that is taught in England. Well, I do not take that back at all. Of course there is a large proportion of English farmers and landlords who are interested in the exclusion of our cattle. You might get the impression from what I said that the exclusion of our cattle is no great loss. Perhaps it is not, but there is certainly a loss even if we finish our cattle here, and that is this: If our cattle that are finished here ready for the block were delivered in Liverpool or London, or any of those points, and the small butcher in the English town could come and buy five or six or more of them and move them out to his own place and slaughter them, he would get more for them and could afford to give two or three dollars or perhaps five dollars a head more than he could for the carcass, simply because he could make more of the animal, and when he gets

that home he slaughters that beef and if it is good it is sold as the best English or Scotch, and no doubt it is just as good. I believe it is. Still there is that prejudice. That is one point that I wished to bring out which I neglected to mention in the first place.

Hon. Mr. O'DONOHUE—The importance of this question is recognized not only in this House but in every assembly of men in Canada. The importance of it is overpowering. The difference between the hon. gentleman from Welland and the hon. gentleman from Shell River seems to be, that the one would say nothing lest there should be more or less of a tinge, while the other hon. gentleman goes for protection. He wants to state to England and the world, that the people of Canada are determined to preserve their herds, and England will be obliged to say that we take proper preventive measures. Let us not be ashamed to apply every remedy, and we have nothing to fear. There is no proof that there is any taint in the cattle of Canada. No one has said so. If there is not, is it not our duty to prevent it appearing among our cattle, and to prevent contact with those herds of other countries which might affect our herds. Let us use prevention rather than have to resort to cure by and by. That is our safest course, I am satisfied, and I believe this hon. House, as well as other legislative bodies in Canada, will lay aside every consideration and unite in such prevention. Neither for personal nor for political reasons should the importance of this question be minified. The House should be one about applying every remedy that is known to science to prevent the disease coming into Canada, and when that state of things exists for a very short time our cattle will be welcomed in England, but not if you commence to cry out there is no disease and circulate that report through the world. You will be doing an injury to the people of Canada by taking that course, and I am satisfied that the current of thought that flowed from the hon. member from Shell River tending to prevent the introduction of the disease into Canada is the surest way to preserve the cattle of this country.

Hon. Mr. FERGUSON (P.E.I.)—My hon. friend, the senior member for Halifax, dropped a remark to this effect, that if the government

had done their duty with regard to this matter, they should not complain of having the subject brought up in this House and inquiries made with regard to it. I may state distinctly for the government that, as far as an inquiry into its conduct in regard to this question is concerned, we have nothing to fear in any discussion that may take place in this House or in the country. I think I can convince the House, if any hon. gentleman lacks information on the subject, that the government has done its duty, in regard to this question, at every stage of it for a number of years past—in fact, ever since it has assumed the form that it now presents. The complaint is not that the government is questioned on the subject, or that the government suffers from insinuations which have been made that it has not done its duty, but I understood my hon. friend from Welland and my hon. friend from Compton to object to these motions and discussions, because the tendency was to create an impression abroad that we admitted the existence of pleuro-pneumonia in Canada. The hon. gentleman from Welland claimed that the trend of this discussion was to lead to the impression that there was pleuro-pneumonia in the cattle of this country. That was the trend of the argument, that if the British public took any notice of a discussion going on here, they would be inclined to believe that there was pleuro pneumonia among our cattle. We should discuss this question with the full information that we have on the subject ourselves. We know very well that there is no pleuro-pneumonia in Canada. That is so settled in the minds of hon. gentlemen that it is not necessary to discuss it in this House. You might just as well talk about having small pox in our principal cities and not know it. Pleuro-pneumonia is just as infectious and dangerous among cattle as small pox is in the human family and the idea of pleuro-pneumonia being in Canada without the country being cognizant of it is ridiculous. Up to 1892 the British government admitted Canadian cattle into their market without being slaughtered at the port of entry, while they applied restrictions to United States cattle, drawing a distinction in our favour because we had not any contagious diseases amongst our cattle while the restriction against United States cattle was a declaration that pleuro-pneumonia existed in that country. From 1892 up to the present time, Canadian cattle have also been

scheduled, and an effort has been made in Great Britain to sustain the charge that there is pleuro-pneumonia amongst our cattle. During the three years following 1892, officers of the British Board of Agriculture were most industrious in their examination of our cattle. They made most industrious efforts, I might almost say for the purpose of fastening pleuro-pneumonia on Canadian cattle, yet of 200,000 head of Canadian cattle landed in Great Britain during those three years, only twelve were even suspected, and I think in only four or five cases have even the British officers reported that there was such a thing as pleuro-pneumonia in any of the animals. There is another fact which appears, and that is that the experts in Great Britain that were called in by the High Commissioner to examine these very cattle that were so reported by the surgeons of the British Board of Agriculture arrived at a different conclusion altogether. I agree with the hon. gentlemen who have spoken when they say that the action of the British government in this matter, in view of the light we have on the subject—in view of the perfect unanimity that prevails in Canada to-day that we have no pleuro-pneumonia and have not had it since this regulation was put into force—is not to preserve the health of their herds but to protect their own farmers. I would just point out this fact, if there were cases of pleuro-pneumonia as the British surgeons stated there were in half a dozen cases, would it not have been easy to trace them back to the flocks from which they were selected in Canada, and if there was pleuro-pneumonia actually in the cases of these animals when they reached their destination in the old country, it would certainly be found in the herds from which they were drafted. There was one animal in particular, in 1893, about which British experts seemed to be very positive. That animal was traced to a flock near Kingston, and that flock was found to be perfectly free from pleuro-pneumonia, as indeed all the Canadian flocks were. How different was the case in 1888 when the Galloway herd from Scotland, that was being shipped to Mr. McRae of Guelph, was found on landing at Quebec to be affected with pleuro-pneumonia. Almost simultaneously with the outbreak of pleuro-pneumonia in Quebec in that herd, there was an outbreak in the herd in Scotland from which they were selected, and they

had to go through the same process there to stamp it out as we had to in Quebec. Had our herds been infected with pleuro-pneumonia the same thing would have occurred in 1893 and subsequent years. This fact confirms in the strongest possible manner the contention of the High Commissioner and of the Canadian government that we have had no pleuro-pneumonia; otherwise it would have been found amongst our own herds.

Hon. Mr. DEVER—Have we proper experts to examine the herds?

Hon. Mr. FERGUSON (P.E.I.)—Yes. My hon. friend asks the question if we have proper experts to investigate the subject—

Hon. Mr. DEVER—I spoke, not for my own information alone, but for information of the public.

Hon. Mr. FERGUSON (P.E.I.)—I might answer my hon. friend that if we had small-pox in Canada we would know it, and if we had pleuro-pneumonia amongst our herds we would know it even without experts in a country where we have telegraphs everywhere. But I may tell the hon. gentleman that the most thorough expert investigations have been made by the government of Canada on that question. During the administration of my hon. friend opposite (Mr. Angers) a most complete investigation was made. Canadian herds were examined, the abat-toirs were visited by experts and the lungs of more than 5,000 animals were examined to find if any trace of pleuro-pneumonia existed. Experts were sent to different parts of the country, and the investigation was not confined to the Dominion. When rumours reached the Department of Agriculture that pleuro-pneumonia existed in the United States, experts were sent there in order that the government would have all possible information as to the nature of this disease and be enabled to deal with it. There has been no possible means omitted by the government of Canada to look out for the slightest symptom of this disease and prevent its existence or introduction into Canada. It is perhaps not very relevant to this question that we should discuss the subject as to whether it is best we should send our animals fully fed or send them away in store condition. My hon. friend from Halifax thought that

was a very important question to discuss, and he enlarged on it and thought it touched on the fringe of other questions. For my own part, I agree with my hon. friend who has spoken that it is not an unmixed evil if we should lose the trade in store cattle. It would lead our farmers to feed their store cattle before they go. But it is not well that we should touch that part of the question, because there is no need of having our people unduly alarmed. If we lose that market we have others, and there are other ways of sending our meat to market. I do not find fault with my hon. friend from Shell River for bringing this subject before the notice of the House. I have no doubt it was well meant on his part. At the same time, I cannot help feeling that the tendency of the discussion of the question in the way in which it has been discussed here, and in the press and in another place, when the news finds its way across the Atlantic, will be to create an impression that we are not very sure whether we have pleuro-pneumonia here or not, and instead of assisting the friends of Canada in opposing the bill now before the House of Commons in England, our speeches and our actions will have a tendency on the contrary to help that very legislation to our prejudice. I am sure the hon. member from Shell River did not mean anything of that kind in bringing the matter up and, I dare say he will listen favourably to a suggestion of mine that he will allow the notice to drop on the understanding that all the papers on this subject that have not been laid on the Table will be brought down. Hon. members are aware that in another branch of this parliament the government took action on this subject by introducing a resolution setting forth the firm conviction of the parliament of Canada that we had no pleuro-pneumonia amongst our herds, and by solemnly putting the further declaration on record that all necessary precautions have been taken to prevent the introduction of it, would have some effect upon the British parliament in arresting the legislation now in progress, so far as it relates to Canada at all events. That action has been taken by the government in asking the House of Commons to pass the resolution, and that resolution has been already communicated to the British government. Adding that to the most thorough efforts which have been put forward by the government for years back,

and which have never ceased to be put forward for the purpose of watching for this disease and taking every care that it is not introduced into our herds, I feel that the government has done its entire duty in the matter.

Hon. Mr. MACDONALD (B.C.)—Is anything done to distinguish United States cattle from Canadian cattle in going home in Canadian ships, because they might carry contagion?

Hon. Sir MACKENZIE BOWELL—The only distinction which could possibly be made would be in the bills of lading. The cattle brought from the United States passing over the Short Line to St. John in bond, as United States cattle, would be shipped by the Beaver Line, or the Donaldson Line of steamers, as United States cattle, and when they would be landed in Glasgow or Liverpool, or whatever port in Great Britain they were destined for, they would be there entered as coming from the United States, unless they had some other mode of keeping their trade and navigation returns than we have. I know that there is a false impression drawn from the United States trade returns by those who have not studied them closely, that the exportations to Canada, for instance, of any particular article is often quadruple what it really is. By way of explanation: a short time ago, when I was administering the Department of Customs, I made an investigation into this very question, and, looking at the trade returns of the United States, I found that they set down the exportation of pork to Canada at 40,000,000 pounds in one year. Our own trade and navigation returns only gave an importation of between twelve and fourteen millions of pounds. The discrepancy occurs in this way: They export, say, from Cincinnati or some other great pork producing centre, 100,000 pounds of ham, or bacon, as the case may be. They invoice it from the market in which it is produced to the first Canadian port which it touches, say Windsor. They then enter it in their trade returns as an exportation to Canada, when, in fact, the moment it arrives at Windsor it is shipped on board the Grand Trunk or Canadian Pacific Railway, or on a vessel, and forwarded to Montreal in bond, and there shipped through as the product of the United States, and it is so entered in the

Imperial returns. The Imperial returns are defective to this extent, and that is what Sir Charles Tupper pointed out in his speech to the Montreal Board of Trade a couple of months ago. If we ship 1,000 head of cattle from Canada to Portland to be there transhipped to England, they will send them to England as United States cattle, and if they do not go as United States cattle, the fact of their last port of embarkation from this continent being a port of the United States, the Imperial trade returns will show it to be an importation from the United States, when it should have been an importation from Canada in transit through the United States. There is where the difficulty has arisen, and there is where we have lost the credit of a large amount of exportation which has passed in transit through the United States to Europe. Now our system is altogether different. If 1,000 head of cattle is shipped from the Western States through Canada for transportation to Europe from Montreal, they never enter into our returns except as importations passing in transit through Canada, and they are shipped as United States cattle from Canada, and the fact of their being so shipped leads us to the conclusion that the officers in England, when they arrive, enter them in their trade returns as United States cattle, because they go through on what is termed a through bill of lading. That is the operation of the transit trade as I know from experience, and what has come under my observation. We have repeatedly had applications from Washington by the authorities there who were compiling their trade and navigation returns, for information from us, at the same time admitting that our trade and navigation returns were much more accurately kept than their own, in order to correct the defective information given in their trade returns to which I have referred. They have sought many times for information from us and we have called attention to it repeatedly in order that Canada might not be deprived of credit for the proper amount of her export trade.

Hon. Mr. POWER—The hon. gentleman who spoke on behalf of the Department of Agriculture advised the hon. gentleman from Shell River to withdraw his resolution. My impression is that that would be most unwise thing to do, because it would give the impression that we have something to conceal.

I think the proper course, now that the resolution has been brought before the House, is to let it pass and let the papers come done, and I have no doubt they will show the facts, but to say that after a discussion of this kind the motion was withdrawn will certainly leave an impression on the minds of the people of England that there was something concealed.

Hon. Sir MACKENZIE BOWELL—My hon. friend spoke on behalf of the Department of Agriculture, and said if the motion was withdrawn it would be on the distinct understanding that all papers on the subject not already laid before parliament would be brought down. There is not a line in connection with this whole business that has not been laid before the other House. There is no objection to bring down the papers, but there is no necessity, really, for duplicating the returns already submitted.

Hon. Mr. POWER—Let the hon. gentleman amend his motion to ask for the papers not already brought down.

Hon. Mr. FERGUSON (P.E.I.)—The hon. gentlemen will see the object of my suggestion, by adopting it he would show his belief that our herds are healthy and that it is the expression of this House that we are all settled on this point, and at the same time every paper on the subject would be brought down.

Hon. Mr. BOULTON—I wish to justify the interruption that I made when the hon. gentleman from Monck was speaking with regard to the statement of Sir Charles Tupper before the Montreal Board of Trade in January last. Sir Charles says:—

The unacknowledged trade of the Dominion of Canada in the Imperial Returns forms a considerable amount annually, and it is a matter that calls for special statement when the trade of Canada with the United Kingdom comes to be dealt with publicly on the basis of the returns of the Board of Trade.

Canada's geographical position coupled with the influence of the trade exchanges of the United Kingdom with the United States, leads inevitably to a considerable import and export trade with Canada being conducted through United States ports. This trade, however, invariably appears in the Board of Trade returns as purely with the United States.

For the fiscal year ended June 30th, 1894, the official trade returns of Canada show that the

value of foreign goods passing in bond through the United States direct to the Canadian importer amounted to \$14,753,686. Of this amount fully two-thirds (\$10,000,000) probably represents imports from the United Kingdom, and Canada therefore loses the credit in the Imperial Returns of that sum, which goes to swell the trade with the United States. In a similar manner the exports of Canadian products, via the United States in bond, for the same period, is given as \$11,485,357, almost the whole of which is sent to the United Kingdom, and on their arrival there credited to the United States. On the other hand the United States use the Canadian route for a portion of their exports to the United Kingdom, the amount so forwarded during the same period being \$6,471,567, credited to Canada in the Imperial returns. Thus, on balance, Canada still loses the advantage in the English returns on her exports to Great Britain of \$5,000,000, and on the imports from Great Britain \$10,000,000, or a total annually of say \$15,000,000.

It may be added that a certain quantity of imports into the United States from Great Britain are forwarded via Canada. There are no figures to show this trade, but it would have to be deducted from the \$15,000,000 above mentioned, in order to be statistically accurate.

I might say the wheat that goes through Buffalo from the North-west to New York, goes probably as United States wheat. In our returns the wheat will appear as exports from the port of Fort William; in the British returns it will appear as imports from the United States. That is what I contend, that United States cattle, shipped through Canadian ports, are in the Imperial returns credited to Canada, and any disease or anything else of any kind or description that might be in those United States herds, was visited upon Canada. Now, a part of my question is made up of that condition, that a portion of the United States shipments of cattle goes through Canadian ports, and we suffer if there is any disease in those cattle, and my question is to ask what steps, if any, are being taken in order to protect Canadian interests in that respect? I disclaim any idea, hon. gentlemen, of the imputation that was cast upon me by the hon. gentleman from Welland, that I was trying to blazon forth to the world that pleuro-pneumonia exists in Canada. Excepting that it has been brought out in Liverpool, I do not think there is a single solitary Canadian who ever heard of pleuro-pneumonia among Canadian cattle. I certainly never have done so, and I had not the slightest idea of giving any impression that pleuro-pneumonia exists among Canadian cattle; but I know the insidiousness of disease. I know our

herds will increase; I hope they will, and I would just draw attention to this fact, that while we ship 100,000 head of cattle to England from a population of 5,000,000 people, the people of Ireland, a smaller population, ship 600,000 annually. I hope the day will come when the agricultural capacity of Canada will be 600,000 also. But as the herds increase the responsibility of the government for the preservation of the health of those herds correspondingly increases, and the hon. gentleman for Welland, who criticise me so severely for bringing this motion before the House, seemed to take the position that he, being a doctor, was the only one who had any right to deal with disease. Well I am not prepared to take that view at all. We have our herds to protect, we have our families to protect and if we think there are epidemics abroad of any kind or description, or liable to be abroad, it is right for us to speak out. Take the epidemic of la grippe in the human family; it is known that some are more subject to it than others, and that when one man catches it he may distribute it to healthy people who would not catch it if the epidemic did not exist. We know very well that the same thing exists in the preservation of herds of cattle where they are congregated 100, 200 or 300 in stables, and that through improper feeding their constitutions are undermined and they become more susceptible to disease. The object of my motion is a patriotic one. It is for the purpose of arousing the government and public feeling and educating the public through motions and discussions of this kind as to the interest every individual farmer has in taking the utmost precaution in order to preserve the healthiness of the herds of cattle, flocks of sheep and horses which are being raised. I do not agree with the hon. gentleman from Welland at all that this motion is out of place, or that it will do any injury, or affect, except in a beneficial way, the bill that is now going through the English House of Commons, because it will show the people of England that we are fully alive to the very features that have caused them to take such stringent measures for the preservation of their own cattle.

Hon. Mr. DEVER—I have listened with a great deal of pleasure to the debate, and instead of being opposed to a motion of this kind being brought up and debated, I am certainly in favour of it. It behooves the

people of this country to defend their property against any imputation that it would be injurious to the human race as food. There could be nothing more serious placed in our way than an impression abroad that our cattle are unfit for food. It arouses the feelings of every man in this country, and if there is any foundation for it, we should certainly be most anxious to remove it and to see that it is beyond question or doubt in the slightest degree that such a thing could happen. There is just one point that I thought was rather loose and not riveted home as tightly as it should be in the argument of the Minister of Agriculture. He asserted virtually that there was no such thing as pleuro-pneumonia in this country. He said that fact was generally known, and that nobody believed that there was. As well might you believe there was small-pox in the community seeing the number of doctors all through the country. Now, I do not see that there is any similarity at all. If small-pox broke out, immediately it would be announced and the infected would be shut off from connection with bodies of people; but are we as well provided with scientific men to look after the interests of our cattle. I tried to get a distinct answer from the hon. gentleman, but though he answered me generally I do not think he came down to the exact point that would suit critical men on the other side and here also. It was necessary that he should point out that we had a scientific examination of cattle as they were being shipped from this side and to see they were then sound—not generally inspected through the country before they were selected for shipment. I also think that our government should be prepared, on the arrival of the cattle in England or the other ports of destination, to have their own scientific men to see that when they were landed on foreign shores they were free from disease. I feel that we ought to be placed in a position that no one could question the soundness or health of the cattle. The hon. gentleman from Niagara is a scientific man. We all recognize him as a eminent doctor in Canada, and he went so far as to say that it was possible that a human being might, in crossing the ocean, contract a disease before arriving. Well, might not the same law apply to cattle. He admitted that a human being was liable to take a disease of this class on the voyage, but he argued it would

not be possible that cattle could do so. To satisfy ourselves that it must have been on board of ship that anything of this kind was contracted, we should have a scientific man on the landing of those cattle to see that they were free from disease, and also a scientific examination on their shipment; then we could find out at once whether it was on the passage they contracted disease or that it had been contracted before they had been shipped. I merely throw this out as a suggestion to the government, it being necessary in my opinion to be very accurate and not depend on general statements—to be prepared with certificates of the soundness of the cattle at the time they were being shipped, and also to be prepared on the other side and not to be governed by the opinion of experts in England who might be favourable or unfavourable to us. I say we should have our own scientific men there. Between the two examinations our position would be beyond question, and no man, scientific or otherwise, or body of men, could throw in our face any insinuation that we are shipping cattle that were diseased, or possibly having the seeds of disease in them. In this way we could avoid the unpleasantness of contradicting the statements, and at the same time we could guarantee to the world that our cattle were sound and healthy and properly fit for human use. I had another remark to make, but I really do not remember it at present, but I think it had reference to the hon. gentleman who introduced the motion. He deserves a great deal of credit, instead of being rather harshly replied to. He gave us a grand opportunity of showing to the world that we are prepared to defend ourselves even against Great Britain in case we feel that they are not treating us fairly; that instead of finding a just fault against our cattle that they are acting upon a desire to shut out our property from competition with their own farmers.

Hon. Mr. FERGUSON (Welland)—I may say that the explanation of the hon. gentleman from Shell River is eminently satisfactory. The meaning I took from his speech might have been taken by other people, and his explanation will entirely clear that away. The reason why I took exception to his remarks was that he said we were comparatively free from disease.

There was only one disease under discussion, and it might be taken to mean that particular disease; but the explanation is satisfactory, and I think the hon. gentleman is rather under an obligation to me than otherwise for calling his attention to that. As to the hon. gentleman who has just spoken about human beings contracting disease, I said that human beings and also cattle might contract a temporary disease from cold and other causes in crossing the Atlantic, which might be taken on the other side for pleuro-pneumonia by people who are not experts in that particular line, from the destruction of tissue and so forth. I did not say they could contract pleuro-pneumonia on the passage over, and have when they landed there, but I said they might contract disease which might be mistaken for pleuro-pneumonia when they arrived. I do not often speak in the House, but I am very glad that I said a few words to-day, if for no other reason than to allow the hon. gentleman from Halifax to make one of his usually, kindly and good-natured retorts to my speech.

Hon. Mr. DEVER—I did not mean to convey the idea that so clever a physician as the hon. gentleman from Welland would insinuate that a human being would contract pleuro-pneumonia, but I meant to convey the idea that the hon. gentleman said that human beings might contract disease in the short space of a voyage across the water, and also that the cattle might do so, and on the other side the cattle would be received and in all likelihood branded as being diseased. I wish to make one further remark: I do not blame the English people for examining our cattle. I think it is quite right. I believe that they do it for the purpose of seeing that their people get sound food. It is done under an inspection Act. It is not, after all, an inspection for the purpose of protection. We have just as good a right to do it here as they have, and if the views of certain gentlemen were taken, all our staple articles of food should be inspected always on land or exportation of them. Therefore, I take it that we have no right to find fault with the English people for having an inspection of food coming into their country. After all, it is only an inspection, the same as with any other food, and in that line I accept it instead of denouncing it or branding it as a desire to shut out our cattle.

Hon. Mr. ANGERS—I am very sorry that I was not in the House when the debate began and must apologize for it. I do not rise for the purpose of taking a very large share in it, but simply with the intention of correcting what I believe to be an error spread in this House and outside, namely, that United States cattle can be shipped and are shipped from any Canadian port. No United States cattle were ever shipped from a Canadian port, Montreal, Quebec, Halifax or St. John, before last fall or during the winter, from the harbour of St. John, except under special regulations. It is a fact that whenever cattle are shipped from a port, they take the nationality of that port. That was the very great objection which the government always had in allowing United States cattle to be shipped from Montreal, because they would reach England and be classified as Canadian cattle and might be affected with pleuro-pneumonia, or some disease which does not exist in Canada. I have not seen the Order in Council which has been adopted by the government to allow foreign cattle to be shipped from the port of St. John, but if I am well informed that shipment takes place under special regulations, that the cattle are brought through Canada, as if they came in at Sarnia, and went to the port of Portland. They reach St. John in bond under special supervision, and can only be shipped on a vessel where there are no Canadian cattle; so that there can be no possible confusion, and I see no objection at all to the step taken by the government, if that regulation is rigorously observed. We get the benefit of the trade over our own railways, from the time they come into Canada until they reach the port of St. John, and also, it would be a good thing to satisfy, if possible, the ambition of the people of St. John in increasing their trade. Since I entered the House, I heard the question put whether we had in this country competent men to examine our cattle and to testify as to their heathiness. We have, all over Canada, veterinary experts as qualified as any other country has. No cattle ever comes into Canada from the United States now without being submitted to the quarantine of ninety days, and no cattle are shipped from Montreal or any other Canadian port except upon a special inspection. Now, when cattle are sent from Canada through the port of Montreal, it must be Canadian cattle and those cattle are inspected.

Hon. Mr. DEVER—Where?

Hon. Mr. ANGERS—In Montreal, by experts, under the supervision of Dr. McEachran, as competent a man as there is in America. When cattle are shipped from St. John, as United States cattle, the United States authorities have required that they should also be shipped after a certificate of their health being good is given.

Hon. Mr. DEVER—By whom?

Hon. Mr. ANGERS—By the Canadian experts in the profession. I understand the government agreed to that, provided they should be submitted to an inspection, and that inspection is made, and they never come into contact with Canadian cattle at all, and no Canadian cattle should be shipped on the same vessel. Now, referring to the charge that is made, and has been made for the last three years by the British Board of Agriculture against Canadian cattle, I may say that the government of Canada has rebutted upon every point the charges made by the British experts. We have, if I may be allowed to express myself so, confounded them by their own evidence, by special experts that we were allowed to employ in England, and by referring some of those lungs to the highest authority in Europe, Professor Nocard, who is at the head of his profession in Europe. Some of those lungs that were pronounced affected with pleuro-pneumonia by the British expert, Mr. Brown, were sent over to Paris and an examination by Mr. Nocard took place and he corroborated the evidence of the examination made by the British expert in our behalf in England, and also by our experts in Canada, that it was not pleuro-pneumonia at all, but might be called transit-pneumonia, which is a disease not contagious and can easily be contracted and which affects the cattle in the long voyage to which they are subjected when taken from the west, thousands and thousands of miles in box cars and then shipped on the ocean, exposed to the open air, a portion of them on deck and exposed to the variation of temperature. Now a sound animal, starting from Montreal, might reach Liverpool or some British port, and be affected with a disease which the experts have stated to be transit pneumonia, just the same as a man travelling

in the open air might take a cold, and that is the kind of disease that was found sometimes to affect Canadian cattle on the other side. Now, my hon. friend, the Acting Minister of Agriculture has given to the House the large number of Canadian cattle which have been shipped within the last two years, and I think he gave the figure to be over 280,000 head. In that large number some ten or twelve suspicious cases have been found and in every instance the experts have differed and the best authorities have pronounced in our favour, that it was not a contagious disease, that it was not pleuro-pneumonia, but what might be called for the special purpose transit-pneumonia.

Hon. Mr. DEVER—Or cold.

Hon. Mr. ANGERS—Or cold. Now, I heard some hon. gentleman—I think it was the senior member for Halifax—state that the government had taken a long time, some eight months or perhaps more, in answering the despatch of the British government, and they have never complied with the request made in that despatch. What was the request? It was that we should slaughter the suspicious cattle that we might have in Canada and verify whether there was pleuro-pneumonia. They asked us to do an impossibility. They said “go into your sound herds, free from disease, and slaughter them.” We could not do that. The government has no power or authority to do so. What right has the government to come into my farm yard and slaughter my cattle for the purpose of satisfying the curiosity of Mr. Gardner or some other president of the board of agriculture in England as to whether there is pleuro-pneumonia in Canada or not? The law is that you can slaughter cattle suspected of disease, and no others and there were no suspicious cases in Canada.

Hon. Mr. POWER—I did not lay any special stress on their not having done what they were asked to do, but I did think it was a singular thing that the despatch should have been allowed to remain unanswered.

Hon. Mr. ANGERS—The despatch was answered, but there was a long delay and a necessary delay to give a proper answer, and I am going to justify that delay. Now it takes very little time for a man to make a foolish answer. He can do that the next

day, but if you want to make a wise and sound answer, you have to look around you and verify the facts, and that is what the government did in relation to that very case. We could not slaughter the cattle. There was no animal in any herd that we could go near and slaughter, because there was no suspicion of disease. It did not exist in Canada, and therefore the government did not comply, and it was impossible for the government of Canada to comply, with that request which was—should I qualify it and say the unreasonable request of the board of agriculture in England that we should slaughter cattle when there was no suspicion of disease among them. Therefore it could not be done. Now I wish to justify the government for the delay in making the answer which they did make, because they made a full answer to all possible objections which they might have in England to allowing Canadian cattle to go in as formerly. The inspection had to be made all over Canada to ascertain if there was any suspicious case, and consequently veterinary surgeons were sent from Central Canada to the Rocky Mountains and visited all the herds to ascertain whether in the past or at the present time that there was any suspicious case of pleuro-pneumonia, and we could find none. Well of course, giving this answer to England might not have been satisfactory. The government did more. Without warning or notice to anybody, they employed a competent expert to watch the common slaughtering houses of the country, where cattle came for the consumption of the people, not of the very best cattle that rich men buy, but which the people at large use, and without giving any notice experts were sent to the slaughtering houses in Galt, London, Toronto, Montreal and St. John, and they examined every animal during one month that was slaughtered there. There were several thousand of them slaughtered during that month, and not one single case of pleuro-pneumonia was found in the country. Now an extraordinary thing was ascertained. It is generally believed that our cattle are subject to another disease, which is tuberculosis. It was ascertained by that inquiry that out of those 3,000 odd head of cattle, there were exceedingly few cases of tuberculosis found, which certainly is a certificate of health given to the whole cattle of Canada which was irrefutable,

which nobody could answer. That was the reason, hon. gentlemen, that the government had to take a few months to collect this evidence, which they gave to England, which despatch has never been answered since; but they kept on the embargo, and kept on shutting out Canadian cattle from their market. It is easy to understand the reasons of their closing their markets. We know well the great depression of the agricultural interests of England and Ireland. The farmers of England and of Ireland are opposed to allowing Canadian or United States cattle, or cattle from any country coming in alive in competition with theirs.

Hon. Mr. DEVER—Let them say that, and not brand our cattle as unhealthy.

Hon. Mr. ANGERS—Yes, but since we cannot put the words in their mouths, they won't say it. We say, "be frank and avow that you want protection against us," but we cannot force them to say so. That is, in my opinion, the real interest they have in shutting out our cattle from their market. Now, another point which I think should satisfy the House of the intention of the English and Irish farmers in that respect, is that the moment our cattle were scheduled in England, the price of cattle rose in England and Ireland. If they open their market again, the price of their own cattle will fall. Is it not natural that we should conclude that consequently, when they shut us out, they want protection? Whatever may be their intention, it does not matter to us; we have to deal with the fact as it is. We cannot force them to accept our cattle. We cannot force them to admit that they want protection. They want the benefit of protection under the name of free trade. They will not confess, but they like to get the advantage of it, and they are reaping the advantage of it now. It has been said abroad, and in this House I believe, that it is more advantageous to us to keep our cattle here until they are fully grown. The kind of cattle we ship, which are called stockers, for feeding on the other side are, as a rule, two years old. They are not fully grown. They have not acquired their weight, and as the hon. gentleman from Monck says, they are shipped for so much per head and not so much per pound, and it

would be more advantageous for us to keep our cattle until they are four years old and use our coarse grain here for the purpose of fattening and selling them on the other side. I believe that to be true, but still some farmers of this country do not believe that, or some of them want to get ready cash. They cannot afford to wait two years longer, and they want to be able to dispose of the young cattle. That is legitimate enough if we can obtain it for them, but so far it has been impossible, and it has not been through any neglect on the part of the government. There is another point to which I wish to call the attention of the House, although I was not here at the beginning of the debate, and it is this: I have heard it stated somewhere that we were closed out on account of having neglected to comply with the regulations which we had made with England in relation to the supervision which we are bound to have over cattle coming in from the United States in transit. Now, I wish to correct this error. The government of England never made such a charge against us at all. It was never on the ground that we had neglected the fulfilment of those obligations, or the supervision we should have over United States cattle, that closed us out of the English market. It was never invoked by Mr. Gardner or the Board of Agriculture. The first case arose this way; an animal from Pilot Mound, in Manitoba, was shipped on the "Huron." It was an animal over 12 years old which should not have been shipped at all. I think it was rather old to be shipped, but it was weighty, and had a good appearance and it went across. The inspector allowed it to be shipped to England. When it reached the other side, this animal, being next to other animals which did not come from Canada, was suspected of being diseased, was slaughtered and pronounced affected with pleuro-pneumonia, and the experts on the other side wished nothing better. This case we had tested by other experts and they disagreed upon that point. They pronounced it not to be pleuro-pneumonia at all, but only transit-pneumonia, a disease which an animal of that kind, coming from Pilot Mound in Manitoba, travelling thousands of miles by rail and then three thousand miles by steamer might easily have taken. That was the cause of the foreclosure in the first instance,

and never at any time did the government of England complain that we had neglected in any way the obligation which we had undertaken, to have a close supervision over United States cattle coming through our territory.

Hon. Mr. BOULTON—If there is no further objection, I would yield to the government's offer to bring down the papers and withdraw the resolution, as my motion was not designed to show any want of confidence in the honesty of the efforts of the government but to show the public interest that is centered upon this question. The purpose for which I introduced the resolution has been served. I think hon. gentlemen will feel that good has come of it, especially after the excellent speech made by the ex-Minister of Agriculture. This reference to the solitary animal upon which disease was detected brings to my mind Punch's rendering of the "rinderpest galop" as being "the tune the old cow died of," which was composed in the days when the rinderpest was abroad.

The motion was withdrawn.

SECOND READINGS.

Bill (M) "An Act respecting the inspection of steamboats and the examination and licensing of engineers employed on them." (Sir Mackenzie Bowell.)

Bill (81) "An Act to revive and amend the Act to incorporate the Alberta Irrigation Co." (Mr. Power, in the absence of Mr. Perley.)

Bill (71) "An Act to provide for the amalgamation of the Bay of Quinté Railway and Navigation Co. and the Kingston, Napanee and Western Railway Co., under the name of the Bay of Quinté Railway Co." (Mr. Clemow.)

Bill (52) "An Act respecting the Kingston, Smith's Falls and Ottawa Railway Co." (Mr. Clemow.)

Bill (28) "An Act to incorporate the Huron and Ontario Railway Co." (Mr. McMillan.)

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, 9th April, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BEHRING SEA CLAIMS CONVENTION BILL.

FIRST READING.

Hon. Sir MACKENZIE BOWELL introduced Bill (Q) "An Act respecting the Behring Sea Claims Convention," and moved that it be read the first time. He said: The object of the bill is to empower the commissioners who may be appointed to investigate the claims which will become due under the Paris award, to subpoena witnesses and to punish witnesses for perjury, or, in other words, to give to the commissioners, while sitting and adjudicating upon the claims which are to be made, such powers as are possessed by a judge in court in reference to subpoenaing witnesses and punishing them for any infraction of the law. The Senate is aware of the fact that under the Paris award certain claims were admitted to be due to the Canadian sealers, and that they were to be determined by commissioners to be appointed by the two governments. Unfortunately we have been, up to the present date, unable to reach that point at which the commissioners could be appointed and begin work. The draft of the agreement entered into between the governments, assisted by the late Minister of Justice and myself, when in Washington a short time ago, have been modified to a certain extent by suggestions which were made by the United States authorities, and I regret to say there has been still further delay by other suggestions which have been made by members of the Senate when the agreement was laid before them for the purpose of ratification. Some of the changes suggested are not material, nor will they interfere with the due administration of justice, nor would they prevent justice being done equitably to the claimants, but other suggestion were made which neither the Imperial nor the Canadian Government feel themselves bound to accept. In fact, it is a question that has

been under discussion by the two late Ministers of Justice and also by the commission which was in Washington some few months ago. The Secretary of State, Mr. Olney, acknowledged the justice of the position which we took, and acceded to it. The Senate, however, made the suggestions, to which I have alluded, and which are now under discussion. The simple object of this bill is to give full power to the commission to carry on the investigation the same as if it were done in a court of law.

Hon. Mr. ANGERS—I suppose the hon. gentleman's mind is quite made up whether this bill should not be introduced in the Imperial Parliament rather than in the Parliament of Canada. Are we acknowledged parties before this conference in Washington, or is it Great Britain? If the latter, the powers with which those commissioners should be vested should come from the home authorities rather than from us. Of course, I have not read the bill and merely seek for information.

Hon. Sir MACKENZIE BOWELL—That question has never been raised; consequently, so far as I am concerned, I have never thought of it. While it is true that the agreement was made by the British ambassador in Washington, the terms of which are, having been agreed to by the Canadian Government through its commissioner, it is only Canada that can properly give the power which this commission needs for the summoning of witnesses, though the Imperial Government, has the appointment of one commissioner, and the United States has the appointment of the other, England and the United States, with the consent of Canada, have agreed upon a third arbitrator. My hon. friend, as a lawyer, would understand that question much better than I do, but it seems to me that we alone should give power to any court or any commission to summon witnesses and to punish them for infraction of the law, and not the Imperial Government.

Hon. Mr. ANGERS—I understand that it is out of courtesy we are given the appointment of a commissioner, that his appointment will come through the Imperial Government, and consequently the powers that should be vested in that commissioner should be derived from the same source.

Hon. Mr. SCOTT—Unless Canada was delegated, under the award made in Paris, to take evidence in reference to these claims I cannot see that we have any jurisdiction in the matter. This inquiry will take place abroad, I presume, and not in Canada.

Hon. Sir MACKENZIE BOWELL—No, it will be made in Victoria.

Hon. Mr. SCOTT—The evidence then is not to be taken before a special board that was named?

Hon. Sir MACKENZIE BOWELL—Certainly.

Hon. Mr. SCOTT—Are they to come to Canada and sit in Canada?

Hon. Sir MACKENZIE BOWELL—Certainly. The provision is this; they are to sit in Victoria and if it should be necessary to hold a court (because it is a court) in San Francisco, they can go there and the government of the United States are passing a law giving them the power vested in judges and courts in California, to take evidence and to conduct the investigation. The decision of the commissioners at Paris provided for this mode of settling the difficulty. The hon. gentleman is aware that we tried to settle it by a lump sum, which the United States Senate refused to ratify.

Hon. Mr. SCOTT—If they are to sit in Canada, we can authorize them while sitting in Canada to take evidence under oath, and to hold parties responsible if they are guilty of perjury.

Hon. Sir MACKENZIE BOWELL—The schedule of the agreement between the United States and Canada is contained in this bill, and the hon. gentleman will see that provision is made for all points to which he has called attention.

Hon. Mr. POWER—The passing of the bill can do no harm, and the government might, if they conclude after due consideration that there is any doubt as to our power to provide for the taking of evidence, send a copy of the bill to England and if the British officers think it necessary, they can pass a law confirming it.

The motion was agreed to and the bill was read the first time.

YALE-CARIBOO ELECTORAL DISTRICT.

INQUIRY.

Hon. Mr. McINNES (B.C.) rose to

Call the attention of the First Minister to the fact that, in the Act amending the Dominion Elections Act, 58-59 Victoria, chapter 13, the Electoral District of Cariboo, or Yale-Cariboo, has been intentionally, or accidentally omitted, and ask, if it is the intention of the government to pass an Act this session, restoring it to its former position and placing it in the same position as Algoma, Nipissing, Gaspé, Chicoutimi and Saguenay?

He said: I may say, hon. gentlemen, that until 1894 the law governing the holding of elections in that district, ever since British Columbia became part of the Dominion twenty-five years ago, was as follows:—

The Governor General shall, except as herein-after mentioned, fix the day of the nomination of candidates at the election, and shall at every general election fix one and the same date for the nomination of candidates in one and all of the electoral districts, except in the electoral districts of Algoma and Nipissing in the province of Ontario, and Gaspé and Chicoutimi in the province of Quebec, and of Cariboo in the province of British Columbia.

I find there was a slight difference made with respect to Algoma and Nipissing, the minimum limit there, between the issuing of the proclamation and the nomination, being ten days, and the returning officer was empowered to extend it to fifteen days, but in Gaspé, Chicoutimi, and Algoma the returning officer shall fix the days for the nomination of candidates and also the day and place for the holding of the polls, the nomination in the said electoral district shall take place not less than fifteen days nor more than thirty days after the proclamation hereinafter required has been posted up, and the day for holding the polls shall not be less than fifteen days nor more thirty days after the day on which the nomination is to take place; neither the day of nomination nor the day of polling and posting the proclamation being reckoned. Now, that was the law until 1894, and as I mentioned in my notice here, it has been wilfully or accidentally dropped, that is, with reference to Yale-Cariboo. It will be remembered that after the last census and the redistribution took place, the two electoral districts of Yale and

Cariboo were merged into one, and at the next general election it will be known as the district of Yale-Cariboo. That district, I may inform the House, is by all odds the largest district in the whole of the Dominion. It covers an area of about 200,000 square miles—about four times as great an area as the entire Maritime Provinces combined—as large an area as the province of Quebec, and I believe about the same size as the province of Ontario.

Hon. Mr. MACDONALD (B.C.)—Larger than the whole of Great Britain.

Hon. Mr. McINNES (B.C.)—Yes, one-third larger than the whole of Great Britain, and some hon. gentlemen may think that although it is a very large district, it has only a small population, and a very small vote. But I want to inform the House that at the present time there are no less than 7,743 voters on the list, so that even in voting power it is one of the largest; I think it stands about the tenth or twelfth largest in the Dominion. Taking that part into consideration, and especially the enormous distances, it is utterly impossible—and the hon. gentleman from Cariboo who is here will bear me out in that—to post up the proclamation within one week of the nomination and then to give the due notices in another week between the nomination and the polling. I am of the opinion—I cannot place any other construction on it—that it was an oversight on the part of the government dropping the name of Cariboo out of the list and placing it in a different position from what it has been in the past.

Hon. Mr. DEVER—On the part of parliament.

Hon. Mr. McINNES (B.C.)—Well, say parliament. It was bad enough before. We required the fullest extent of time the law gave us, fifteen days between each event, or the thirty days; the minimum was fifteen days and the maximum thirty, and I certainly think it should be restored to the position in which it was previous to 1894.

Hon. Sir MACKENZIE BOWELL—I may reply by saying that the placing of Cariboo, or Yale-Cariboo as it is now termed, in the same position as other electoral districts, or leaving it out, was not by accident;

it was done intentionally, and done after consultation with those who were interested in the division of British Columbia into the present electoral districts; and as I am informed the amendment in question was prepared in the Justice Department, with the object of excluding the electoral district of Cariboo from the class of exceptional districts as to which a returning officer is to fix the date for nomination &c. Now I am informed that the united districts of Yale and Cariboo came into existence by force of the Act to readjust the representation of the House of Commons, that is the 55th and 56th Victoria, chapter No. 11, paragraph C, to which the hon. gentleman has alluded, and the government was advised that as to that district it would be quite practicable to fix the respective dates for the nomination and polling on the same days as in other parts of the Dominion generally, hence no exceptional provision was made with regard to the united district, and as the district of Cariboo goes out of existence upon the dissolution of the present parliament, the mention of that district of course was omitted in the amendment. The House knows that it has been the principle of all parties, for a great many years past, to hold as many elections as possible on the same day, that there shall be as few exceptions as possible. Now with reference to the difficulties to which the hon. gentleman has called the attention of the Senate, I have had placed in my hands what to my mind seems to be an answer, to a very great extent, to the objection which the hon. gentleman made, and as he very properly said, the hon. Senator from Cariboo knows more about this matter than I possibly can. The reasons given are these: On the amalgamation of Cariboo electoral district with Yale the conditions in respect to the time changed and now the district of Cariboo is in as good a position for the purpose of holding an election as the district of Yale was at the last general election, and no complaint as far as known was heard on that occasion. Formerly an election writ for Cariboo required to be sent to Barkerville which is at the extreme northern point of the settled portion of the district; then necessary notices requiring to be printed, had to be sent to Kamloops or other printing establishments outside of the district (as there were no such establishments in the district) then sent to the returning officer to be posted up in the various divisions, and it

was the same with the ballot papers and names of the candidates after nomination day—which took up a good deal of time and if such existed at the present time, the point made by the hon. gentleman from New Westminster would have great force, but the memo. says: Now the writs will be sent to Kamloops, which is in about the centre of the Yale-Cariboo district, where the necessary printing may be done and at once sent out and posted, and the same with the ballots, &c. If the exemption of Cariboo from the time limit had been allowed to stand as it was before 1895, then one portion of the Yale-Cariboo electoral district would be under a different law as regards the time limit of the other portion; and for the reason given, it was thought better to have both sections under the same ruling as it is now. These are the reasons given for not continuing the Yale-Cariboo electoral district in the schedule of exceptions, and unless these reasons are not justified by facts, the government do not see any reason why they should amend the law. If, however, it is pointed out that the election cannot be held within the time provided by the law, then it will clearly be the duty of the government to intervene and by a short Act place it among the exceptions.

Hon. Mr. McINNES (B.C.)—The hon. gentleman said that no inconvenience arose during the last election held in Yale, when there was no exception at all made. That is true, but the hon. gentleman, or whoever gave him the information, forgot to mention that that election was carried by acclamation. There was no contest there.

Hon. Sir MACKENZIE BOWELL—Cannot that happen again?

Hon. Mr. McINNES (B.C.)—I think not, but if the district returns a member by acclamation, it will not be Mr. Mara, but Mr. Bostock, the Liberal candidate. In Cariboo, which only comprises about half the Yale-Cariboo district, as it stands now, the full time was given where there was a contest, and I am rather inclined to think the returning officer at the last general election made a compromise between the maximum and the minimum time between the different stages of election, made it 20 days, but I can assure the

hon. Premier that it is an utter impossibility to have the election held properly and according to law, unless it is restored to its old position, and placed in the same position as Algoma and Gaspé. I want the hon. gentleman from Cariboo to give his views on the subject. I know in the past he was most faithful in looking after the Yale-Cariboo district,—especially Cariboo,—and always saw that it was kept in the same position as Algoma, Gaspé, and Chicoutimi. I am rather inclined to think he is of the same opinion still.

Hon. Sir MACKENZIE BOWELL—Were not circumstances different then to what they are now?

Hon. Mr. McINNES (B.C.)—Yes.

Hon. Sir MACKENZIE BOWELL—Is not part of Cariboo attached to one of the other divisions?

Hon. Mr. McINNES (B.C.)—No.

Hon. Sir MACKENZIE BOWELL—Was not the union of Cariboo after?

Hon. Mr. McINNES (B.C.)—Yale and Cariboo were blended after the last census was taken, and the redistribution was made. They were united, and if there was any necessity for having the time extended in Cariboo previous to that, certainly there is double necessity now, because there is double the area.

Hon. Mr. REID (Cariboo)—In the whole of British Columbia, apart from Cariboo, the time was made the same as other parts of the Dominion but there was an exception made of Cariboo. In 1888 the representatives seemed to think there was ample time to give the whole notice as to the Yale division as the communications were better. So far as Cariboo is concerned, the connections throughout that district are no better than they were then, but the conditions in connection with getting the writs and other necessary papers ready are much improved, for the simple reason that the returning officer will likely be in Kamloops and he can immediately start and distribute those notices, whereas before he had to go to the extreme end of the settled portion of the district and then the necessary printing, which had to be done afterwards, had to be sent outside of the district as there were no

printing establishments in the district, and after being printed they had to be returned again to the officer for distribution. That consumed more than a week—probably two weeks—it all depends on the time of the year at which the elections were held. I have been talking to the member who has represented that district for the last five years and he considers that they can give ample notice the same as in any other part of British Columbia.

Hon. Mr. McINNES (B.C.)—In Cariboo?

Hon. Mr. REID—Yes.

Hon. Sir MACKENZIE BOWELL—It is a very important question and after the speech made by the hon. gentleman I shall bring it under the notice of my colleagues, and also have a consultation with the hon. member from Cariboo and also the members of the House of Commons who are interested in it. If they deem it necessary to make the change, of course the government can do it.

Hon. Mr. McINNES (B.C.)—If it is not necessary to have the time extended to the full limit that the law allows in Yale-Cariboo, it is not necessary in any of the other constituencies that I have referred to, because the difficulty of communication to all parts of that district is as great or greater than in Chicoutimi, Saguenay or Algoma.

Hon. Sir MACKENZIE BOWELL—There seems to be a difference of opinion between the hon. gentleman and the hon. member who lives in Cariboo.

Hon. Mr. McINNES (B.C.)—That was his opinion up to a few days ago at any rate.

THIRD READING.

Bill (53) "An Act respecting the Pontiac Pacific Junction Railway Company."—(Mr. Clemow.)

LIABILITY FOR LABOUR ON PUBLIC WORKS BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the whole on Bill (4) "An Act respecting the liability of Her Majesty and Public Companies for labour used in the construction of Public Works."

(In the Committee.)

Hon. Mr. POWER—When this bill was read the second time, attention was called by the First Minister, and also by myself, to the fact that it needed some amendments in order to make the meaning clear. As far as I am concerned, my sole object is to make the bill as workable and effective as possible. I move to insert after "sub-contractor" the words "of such contractor." It might appear that this bill applied to any contractor whatsoever with Her Majesty, whereas it is really intended to apply to contractors or sub-contractors in the construction of any public work.

Hon. Mr. McMILLAN—I have no objection to that amendment.

Hon. Mr. ALMON—Unless it is absolutely necessary to make the amendment it would be well not to insert it, because in the present state of the public business, and so near the end of the session, it might defeat the bill.

Hon. Mr. McMILLAN—The promoter of the bill in the House of Commons suggested to me some amendments, and as it has to go back for concurrence in those amendments we may as well improve the bill as far as possible.

The amendment was agreed to.

Hon. Mr. POWER moved that in line 10 the word "therefor" be struck out and the words "for such wages or sum" inserted instead.

Hon. Mr. McMILLAN—I think the clause is better as it is.

Hon. Mr. POWER—I submitted those amendments to the law clerk, and he approved of them and suggested some slight changes in addition to those that I have proposed. In line 13 I move to strike out the word "thereof" and insert instead "such claim or default."

Hon. Mr. ALMON—It appears to me that all these amendments amount to tweedledum and tweedle-dee. The bill is in the interest of the labouring classes. We are endeavouring to protect the poor man against the rich. If these amendments do no harm they can do no good, but if they are made

they will have this effect: If the bill does not pass the Senate in its integrity, it has to go to the other House and the wicked opposition to the business of the other House, which is being continued for party purposes, will prevent the passage of this bill. Unless the amendments are really necessary, we should not pass them. I am astonished that the hon. gentleman from Glengarry does not oppose those amendments.

Hon. Mr. WOOD—I do not think any unnecessary change should be made, but I entirely disagree with the hon. junior member from Halifax that we should not make such changes as we think necessary and proper to this bill. I have heard this argument used two or three times since I have had the honour of a seat in the Senate this session. So far as the amendment under consideration is concerned, I quite approve of it. I think the word “thereof” does not clearly express the meaning intended in that part of the clause, and that the amendment proposed by the senior member for Halifax makes the meaning much more clear. While I am speaking, I should like to suggest that after this matter is disposed of, in that same line the wording should be altered, and the words, “not later than two months after the same becomes due” should read “not later than two months after the work has been performed.” The object of this bill is to guard against fraud of every kind. There might be collusion between a sub-contractor and a foreman, for instance, and the amount of his wages, under an agreement, not be due some five months after the work was performed. In that case, there would be a liability standing against the government until the amount of these wages became due, according to agreement, and for two months afterwards. The object of the clause is that for two months after the work was performed, the person performing it should be enabled to secure his pay by filing a claim for the amount due him with the Minister of Railways, or the Minister of Public Works.

Hon. Mr. POWER—The committee had better decide the one amendment first,

Hon. Sir MACKENZIE BOWELL—With reference to the amendment of the hon. member, could we not say “such claim and default.”

Hon. Mr. POWER—Not very well.

Hon. Sir MACKENZIE BOWELL—It reads: “and if the claim therefor is filed in the office of the Minister of Railways entering into such contract on behalf of Her Majesty within two months after the same becomes due, and satisfactory proof thereof” of what?

Hon. Mr. POWER—Of such default.

Hon. Sir MACKENZIE BOWELL—There should be a proof of the debt as well as of the default.

Hon. Mr. POWER—There could not be default if there was nothing due.

Hon. Mr. SCOTT—On my reading of it I confess that I think it is quite clear. It refers to all that has gone before. It is a claim that has to be established and can refer to nothing except what has gone before.

Hon. Mr. FERGUSON—I think it is much better as it is.

Hon. Mr. WOOD—I should like to suggest the amendment that I proposed a few minutes ago for the consideration of the mover of the bill. I should like to know if he has any objections to adopting it.

Hon. Mr. VIDAL—It is quite possible that there might be an arrangement made between a contractor and a workman that the pay was to be given at a certain date. The wording is “and from the date of the work being completed.”

Hon. Mr. WOOD—He should file his claim within two months of the completion of the work.

Hon. Mr. SCOTT—Is it not a fact that in work of that sort the sub-contractor is not paid till the contractor gets his pay? He sends in his estimate and it is some time before it is approved of. Sometimes a sub-contractor is two months in arrear and if you limit it to that time he will really lose instead of being protected. The time is too short. In order to keep the men at the work the practice is to allow a month in arrears always. You are not really protect-

ing the labourer properly. The government always retains 15 per cent, and the sub-contractor's custom is to say "I want you to continue on this work, I will only pay you after I get my pay," and that will extend into the 20th of next month and the pay may be six or eight weeks in arrear.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman is altogether in error in saying that the men employed is six or eight weeks out of his pay. The arrangement usually made with sub-contractors is to pay the men once a month or once a fortnight—and the moment a fortnight's work is done the wages are due. Would it be the week's work or the fortnight's work performed, or when the work in which he is engaged completed. It seems to me, as it reads, it would be better, whether the work is completed or not, that his wages should be due and then he could make a claim for it. One of the clauses provides that the government can withhold, and they withhold for two months after the completion of the work, the five per cent deposit which has been made by the contractor, and the ten per cent which is deducted from the progress estimates, and it is out of these two funds, to the extent of the amount which is held by the government, that they become liable for these claims, and if there is not enough to pay them, the government is not responsible.

Hon. Mr. WOOD—Perhaps the hon. First Minister did not understand my object in making the suggestion which I did. The intention of this clause is to protect the day labourer and that alone—not the man of means. Now, the day labourer would expect his wages, as the First Minister has said, at the end of each week or fortnight. The object I had in making the suggestion was, that any time that day labourer, by filing a claim with the Minister, could secure himself for two month's pay.

Hon. Sir MACKENZIE BOWELL—That would not do if the government should not have it.

Hon. Mr. WOOD—Well, he could secure himself to the extent of the money in the government's hands for two month's pay. There may be another class of workmen, take the foreman, for instance, who would be employed by the sub-contractor, and not

receive his pay till the whole work is finished. He is a class of man who can take care of himself, and does not need this particular provision in order to enable him to file his claim and secure his money, and my object in making the suggestion was to confine it to that class of day labourers who expected their pay, and received their pay, as soon as the work was done, and not to the other class, who are in a position to enter into engagements to receive their pay in a month or two or three month's time.

Hon. Mr. BOULTON—The bill that is now before the House is one of very great importance, and it is losing nothing by discussion in this House. It should be made as perfect as possible. The object of the bill is the protection of the labouring men who have no means of protecting themselves against the more powerful capitalist or employer of labour. We all know perfectly well the great loss that labourers frequently sustain through contracts being sub-let, possibly sub-let to irresponsible men. If a contractor has taken a price too low and cannot carry it out at the price, in order to protect himself he may sub-let it to an irresponsible man, and labourers may in that way be cut out of their wages. The stand that the government takes on a question of this kind is an important one, because it is an example in all the contracts in private life. If a government says, in letting a contract, "we are going to take the most stringent measures for the protection of the labour that is engaged in those works," it is a public example that will be followed in other lines, and I do not know that the small modicum that is reserved in the government's hands is sufficient to give that protection to the labourers. I think the government would be justified in taking still more stringent measures to see that the labourers engaged in the public works are fully protected with regard to their wages, as agreed upon between the contractor and themselves, quite irrespective of the small amount that the leader of the House has referred to as being retained. It is a principle, and I think it is a very good one to have engrafted upon our laws.

Hon. Sir MACKENZIE BOWELL—There is a very rigid provision in all government contracts for the security of the payment to the labourers or those to whom the contractor may become indebted, but it does

not reach the sub-contractor with whom the government has nothing to do, but this bill goes a step further.

Hon. Mr. BOULTON—It attempts to reach the sub-contractor.

Hon. Sir MACKENZIE BOWELL—Yes, attempts to reach the sub-contractor and gives, in addition to that, the right to every person to whom the contractor or sub-contractor is indebted, two months to put in his claim and when that claim is filed, then the ten per cent which is held on the progress estimate and five per cent which is held by the government is retained in order to meet these debts. I do not know that you can make a better provision for the security of the payment to the men than those who have framed that bill have done.

Hon. Mr. FERGUSON—I would call attention to the first amendment which has been made and which is no amendment at all. I refer to the putting in of the words there “of such contractor.” That is not at all necessary. He must be a sub-contractor. And this bill will be sent to the Commons and probably returned here or lost altogether.

Hon. Mr. POWER—It will not come back here; it will go down to the House of Commons and there the amendments will be agreed to probably; and further, it is our duty to try, as the hon. gentleman from Westmoreland said, to make our legislation as clear and intelligible as it can be made. The bill is intended, if it becomes law, to protect the workingman, and we ought to make it so clear that the ordinary workingman would be able to understand it and that the bill will hold water. The promoter of the bill has one amendment to make, he says, and that will have to be considered in the other House. The Commons has a number of other matters which must be attended to, and will probably have time to attend to the bill.

Hon. Mr. McMILLAN—This bill has received careful scrutiny in the other House and I would rather it would pass without any amendment.

Hon. Mr. POWER—I have an amendment of some consequence, to which I re-

ferred at the second reading, and it has been submitted to the leader of the House and to the promoter of the bill, and as I understand has met their approval. It is to add these words:—

And any such payment shall be deemed a satisfaction pro tanto of the claims of the contractor or sub-contractor against Her Majesty.

It might be that going to court it would be held that a payment under this clause would be a satisfaction of the claim of the contractor, but it might be that that conclusion would be reached after prolonged litigation. A has a contract with Her Majesty and sublets to B, and B employs workmen and fails to pay them, and the workmen file their claims under this bill, and receive the money from the head of the department. Then the contractor, who has no notice of all those proceedings, comes in, his contract is completed and he claims payment of the money due him under that contract. I think it is very likely that it might be held that he was entitled to receive the amount of his contract. This is to remove any doubt on that point, and I do not think there can be any objection to it.

Hon. Mr. CLEMON—Does not the original contract with Her Majesty provide for all that?

Hon. Mr. POWER—No, I think not. If that ground is taken we had better omit the clause altogether.

Hon. Mr. CLEMON—The government can retain money from the contractors sufficient to pay these claims.

Hon. Mr. BOULTON—I understand the contract says that upon the completion of the contract, and not until two months after the completion of the contract, the final ten per cent shall be paid, in order that two months may elapse to protect the labourer. Does that cover the hon. gentleman's amendment?

Hon. Mr. POWER—No, I do not think it does.

Hon. Sir MACKENZIE BOWELL—Does not the clause to which I referred fully cover it:—

In case a claim be made by a labourer the government has the power to pay two month's wages or salary after being notified of the same.

And it says further :—

Her Majesty may pay to such persons salary or wages from any date to any date which may be payable, and may charge the same to the contractor. The contractor covenants with Her Majesty to repay at once any and every sum so paid.

I take it that it gives power to the government to withhold any amount of money they require. The amount drafted by the senior member from Halifax probably struck me as being a correct one until I read the clause of the contract between the government and the man who carries on the work.

Hon. Mr. POWER—The hon. gentleman will see that if every contract made with the government contained that provision, then this whole clause is unnecessary, but there are a great many contracts which are made without these solemn formalities. All contracts are not drawn as carefully as that one which the hon. gentleman has read, and this is simply to avoid any doubt.

Hon. Sir MACKENZIE BOWELL—The idea suggested itself to me, when I was speaking to the department with reference to this question, and I asked the very question which the hon. gentleman asked—is that the form of contract entered into in all cases, and they answered “yes,” and I hold in my hand a copy of the printed form.

The clause as amended was adopted.

On clause 2,

Hon. Mr. POWER—I move to insert after the word “demand” the words “in writing.”

Hon. Mr. McMILLAN —There is no objection to that.

The amendment was agreed to.

On clause 5,

Hon. Mr. McMILLAN moved to strike out the word “public.”

Hon. Mr. SCOTT—This bill relates only to public works—that is works done for the government. If we make it apply to works done for private companies as well, it is a question whether we are not encroaching on the domain of the local legislature.

Hon. Mr. POWER—As the bill was originally introduced in the House of Commons, it applied only to public works done for the government of Canada, but the committee to which it was referred extended its operations, and it now applies to companies which get their charters from this Parliament, and this Parliament has a perfect right to impose these conditions.

Hon. Sir MACKENZIE BOWELL—The promoter of this bill pointed out that it was never the intention to have it apply to anything further than the railways, canals and telegraph lines or other public works performed under charters obtained from the Dominion Parliament. If we allow the bill to stand as it is now, it would apply to all companies, and he suggested to me the propriety of the amendment to which my hon. friend has called attention.

The amendment was agreed to and the clause as amended was adopted.

On clause 6,

Hon. MACDONALD (B.C.)—Will this bill apply to provincial works?

Hon. Mr. McMILLAN—No; I understand a bill identical with this was introduced by Sir Oliver Mowat during the recent session of the local legislature, but was not passed.

Hon. Mr. WOOD—I should like to call attention to the 40th line and to renew the amendment which I suggested for the first section. While it was not important there, it appears to me that it would be of the greatest importance in this clause. Clause six makes any company that employs a contractor liable for the wages of men employed by any sub-contractor. In the 40th line of clause six the persons who have claims against a sub-contractor for wages need not give notice to the company until after the wages are payable—that is, payable according to their bargain with the sub-contractor. That might be a considerable length of time, so that the company could never know by lapse of time when they would be free from liability for wages due to persons employed by the sub-contractors. It appears to me that when you are making a liability of this kind there should be some reasonable time limit when

the claim against the company would expire, and I would suggest that it should read as follows: "shall be served upon the company not later than two months after the work has been performed and the wages earned."

Hon. Mr. McMILLAN—I thank the hon. gentlemen for his suggestion, but I am afraid it would endanger the bill.

Hon. Mr. WOOD—I do not think it could; it appears to me it would be a great improvement.

Hon. Mr. SCOTT—Hon. gentlemen will see that we are interfering here with civil rights which are entirely within the jurisdiction of the provincial legislatures, and we are seriously embarrassing capital embarked in various enterprises. We must be careful not to cripple capital to such a degree as to prevent the investment of money in the public works of this country. We all know that our large railway works are not built by the railway companies, but by contractors and sub-contractors, and if a company is to be liable for the payment of every man employed in the construction of every part of the work, it is placing the company in a very embarrassing position, because they must have security from the sub-contractor. We certainly ought to limit the time within which they could be liable. As has been pointed out by the hon. member for Westmoreland, if you say two months after the debt becomes payable, you extend the time indefinitely. Surely there ought to be some limit, in order that the company might know that all liability would cease in regard to any given work after a certain period had elapsed. We have had a good deal of discussion this year upon claims connected with the Hamilton and Buffalo Railway. The subject occupied two whole sittings of the other chamber as to whether certain claims should be paid.

Hon. Mr. McMILLAN—If I understand the amendment offered by the hon. gentleman from Westmoreland, it means after the work has been completed.

Hon. Mr. WOOD—After the work has been performed and the wages earned.

Hon. Mr. McMILLAN—A man could not demand wages until after he has performed the work.

Hon. Mr. WOOD—It is two months after he has performed it. Put "earned" instead of "payable" and that will meet the difficulty.

The amendment was agreed to.

Hon. Mr. POWER—This amendment will render another one necessary in this same line, because otherwise the labourer whose wages are not paid would put in his claim within two months after he has earned his wages. Suppose under the agreement between the labourer and the sub-contractor he is to be paid only once a month, then this provision would give him only one month in which to file his claim, and if you are going to substitute "earned" for "payable," you should substitute a longer period, say three months, for two months.

Hon. Sir MACKENZIE BOWELL—It seems to me we are playing a good deal upon words in this. If you perform the work and it becomes payable a month or six months after the work is performed, that is the time it is payable.

Hon. Mr. SCOTT—If there is no contract between the parties.

Hon. Sir MACKENZIE BOWELL—I am speaking of the case of a contract. If you do a piece of work and have earned the money, then at that moment it becomes payable. If you make a bargain with a man to build a house and you are to pay him six months after it is completed, then it is earned. The work may be performed but the money is not payable until six months after the work is performed; but if you employ a man to do a day's work, the payment is due when he completes the day's work.

Hon. Mr. McMILLAN—As a rule men are paid every two weeks and the man employed cannot exact payment until the end of the two weeks come, because he is not in a position to know whether the contractor is going to pay him or not, and I presume that is the meaning of this word "payable" instead of "earned." He may have earned his pay fourteen days before that.

Hon. Mr. SCOTT—If the clause is limited to the workman or the labourer, I agree with you, but it takes in the foreman, and the foreman as a rule is not paid that way?

Hon. Mr. McMILLAN—Yes, every fortnight like the labourer.

Hon. Mr. WOOD—I think the hon. gentlemen does not understand the necessity for this change.

Hon. Sir MACKENZIE BOWELL—I confess I do not.

Hon. Mr. WOOD—He illustrated the necessity of it very clearly, to my mind, in the remark which he made, that a man might build a house and the amount coming to the contractor or labourer who did the work might not be payable for six months. Now, take the position of the company that employed the sub-contractor to build the house—say he builds the house and goes to the company for his pay, and gets his pay, say, three months after it is done. Six months after that a laborer that he has employed comes to the company and says, I have not been paid for work that I did six months ago. It was never due until yesterday, six months after the completion of the work. The company never knows when there is an end to the liability. The reason I did not press my amendment in the first instance is this, that the government is free from the liability when it pays back to the contractor the amount retained in their hands. They are only liable to that extent, but there is no protection of that kind to the company at all. They have no particular fund out of which this liability can be paid. The conditions upon a company are certainly very much harder than they are in the case of the government, and it appears to me that it is of the greatest importance that some limit of time should be fixed when the liability of the company for wages due by contractors or sub-contractors should cease.

Hon. Sir MACKENZIE BOWELL—It says after two months.

Hon. Mr. WOOD—No, two months after it is payable and, mind you, the company does not fix the time when it is payable to the contractor or sub-contractor. It appears to me most unreasonable and unfair.

Hon. Mr. BOULTON—It will only make the contractor more careful in the way he deals with his sub-contractors.

Hon. Mr. WOOD—It appears to me that instead of doing that it opens the door for very extensive frauds. A contractor could agree with his foreman, for instance, who is getting large wages, that his wages should not be paid for a year after the work was done—that is by collusion. It opens the door to fraud between the contractor and his foreman as against the company. He could agree with his foreman not to pay him for a year after the railway was completed. He could get his pay after the completion of the work, and a year afterwards that foreman could have a claim against the company for the wages due him by the contractor.

Hon. Sir MACKENZIE BOWELL—Supposing a case occurs similar to that to which the hon. gentleman has called the attention of the House, is the money earned until the time it is made payable?

Hon. Mr. WOOD—Yes; I take it so. I suggested that it should be within two months after the work had been performed, but some one else suggested the word “earned.”

Hon. Sir MACKENZIE BOWELL—If the money was earned immediately after the work was done, but the agreement being that the money should not be paid until twelve months after it was earned, then he would have to notify the company that he had earned so much money under the contract which he had entered into with the contractor, but if it was not due or payable for twelve months afterwards, then the company would have to hold it to see whether the contractor would pay it or not.

Hon. Mr. WOOD—Perhaps so.
The amendment was declared lost.

Hon. Mr. MACDONALD (P.E.I.), from the committee, reported the bill with amendments.

SECOND READINGS.

Bill (P) “An Act to amend the Act respecting the protection of Navigable Waters.”—(Sir Mackenzie Bowell.)

Bill (L) “An Act to amend the Act respecting Wrecks, Casualties and Salvage.”—(Sir Mackenzie Bowell.)

The Senate then adjourned.

THE SENATE.

Ottawa, Friday 10th April, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

BAY OF QUINTÉ RAILWAY COMPANY'S BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. DICKEY, from the Committee on Railways, Telegraphs and Harbours, reported Bill (71) "An Act to provide for the amalgamation of the Bay of Quinté Railway and Navigation Company and the Kingston, Napanee and Western Railway Company under the name of 'The Bay of Quinté Railway Company.' He said: To this bill there are several amendments and I had better explain them now. The first amendment occurs in the fourth clause. The bill reads this way "from and after the time when any such agreement (that is the agreement of amalgamation) of two or more companies, &c." This is an amalgamation of only two companies, and not more companies. It might be confusing and lead to misunderstanding, and therefore we have struck out the word "more." In the next line it speaks of the companies intended to be united. When the agreement has taken effect the companies are united, and therefore the clause will read in this way:—

From and after the time when any such agreement for the union of the two companies takes effect the companies shall become one corporation, &c.

This clause is the one which gives effect to the agreement, and the agreement then becomes law, but there is no provision in the shape of a general clause for having the agreement filed in the office of the Secretary of State. The amendment provides that a notice shall be published in the *Gazette* for the information of all parties interested. The next amendment occurs in the sixth clause, which provides that the company may construct branch lines and extensions. It goes on to say that the Bay of Quinté Railway Company may construct branch lines or extensions not exceeding twenty miles in length, and these extensions extend to some half a dozen townships where iron

ore is found. The meaning is obscure, because it does not say each one is to exceed twenty miles in length, or whether the whole extension shall not exceed twenty miles. We have given the most liberal interpretation to the clause. It was explained to us that the intention was that no single extension should exceed twenty miles in length, and we have amended it so as to convey that meaning. In a further part of the clause, it is stated that

All the powers and privileges conferred by this and former Acts, with respect to the main line or branches, are hereby conferred upon the company with respect to such branch lines or extensions, and all the provisions of the several Acts relating to the issue of bonds on the security of the railway shall apply to such branch lines or extensions as fully and as amply as they apply to the main line, and any agreements made between the said company and any municipality entered into by the said branch lines or extensions or through which said branch lines or extensions run, are hereby confirmed and declared, so far as it is within the legislative authority of the Parliament of Canada to do so, to be binding on the several parties thereto according to the terms thereof.

It was obvious that it would require an examination of all the provisions, in order to ascertain what the extensions and what the terms of them were and that it did not place them under the provisions of the Railway Act. We have carried out that object by striking out part of the words, that is to say "and all the provisions of the several acts relating to the issue of bonds," and by saying that all the provisions of the Railway Act shall apply, because there are sufficient provisions in the Railway Act to cover this ground. The concluding part of the clause is to this effect that all agreements made between the company and the municipalities along the line, or hereafter to be made, shall be ratified and confirmed, without our knowing what those agreements contain. The general Railway Act sufficiently provides for that, and the House will see that in the last clause of the bill the Railway Act is specifically mentioned; therefore those words were unnecessary and they were struck out.

The amendments were concurred in.

BUILDING AND LOAN SOCIETIES IN ONTARIO BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. AIKINS moved that the amendments made by the standing Com-

mittee on Banking and Commerce to Bill (K) "An Act respecting Building Societies and Loan and Savings Companies carrying on business in the province of Ontario," be concurred in.

The motion was agreed to.

LIABILITY FOR LABOUR ON PUBLIC WORKS, BILL.

AMENDMENTS CONCURRED IN.

Hon. Mr. McMILLAN moved that the amendments made in Committee of the Whole House to Bill (4) "An Act respecting the liability of Her Majesty and public Companies for labour used in the construction of public works," be concurred in.

Hon. Mr. POWER—Before the motion is put I wish to say that the promoter of this bill in the other House has had a conversation with me and pointed out certain reasons why the amendment made in the 5th line should not be insisted on. The clause needs amendment in various respects, and it needs amendment just in this particular place; but inasmuch as the House is not disposed to devote time to considering the bill at any length, it would probably be better to ask that this first amendment be not concurred in. I therefore move that the first amendment be not concurred in.

Hon. Mr. McMILLAN—I accept the hon. gentleman's amendment.

The motion was agreed to.

Hon. Mr. POWER—There is another matter to which I wish to draw attention. I have a very distinct impression that the committee yesterday adopted an amendment to this same clause which I do not find on the minutes to-day. I am not going to urge it now, but I should like to ask the hon. gentleman who has charge of the bill if he did not understand that an addition was made to the clause.

Hon. Mr. McMILLAN—No, I do not understand that that amendment was made. On looking at the notes I took at the time, I find the amendment with this remark on it, "cancelled."

Hon. Mr. SCOTT—I understood it was carried.

Hon. Mr. McMILLAN—I find, on looking at the report as submitted, that it confirms my memo.

Hon. Mr. WOOD—In conversation with the promoter of the bill in the other House I explained the object of the amendment which I desired to have made yesterday, and he said he concurred in it. If it meets the approval of the hon. gentleman who has charge of the bill I should like to move it—that is, to substitute the word "earned" for "payable."

Hon. Mr. McMILLAN—I will accept the hon. gentleman's amendment.

Hon. Mr. POWER—I have some doubt as to the regularity of this proceeding. I think it is better to adopt the amendments made in committee, and then at the third reading move a further amendment.

Hon. Mr. DICKEY—It is quite within the competency of the hon. gentleman to move the amendment now, because this is a public bill. He can move that the amendments be not now concurred in, but that his amendment be made.

The motion to concur in the amendments made by the committee was agreed to.

Hon. Mr. McMILLAN moved the third reading of the bill as amended.

Hon. Mr. WOOD moved that the Bill be not now read the third time, but that it be amended by inserting the word "earned" instead of the word "payable" in the 40th line of the 6th clause.

The motion was agreed to and the bill, as amended, was read the third time and passed.

INSPECTION OF STEAMBOATS AND ENGINEERS BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (M) "An Act respecting the inspection of steamboats and the examination and licensing of engineers employed on them."

Hon. Mr. SCOTT—This bill is apparently a codification of the law as it now stands. Will the Premier explain anything new in the bill?

Hon. Sir MACKENZIE BOWELL—The officer of the Department of Marine and Fisheries did not deem it advisable, in view of the fact that there is to be a codification of the laws, to make any material change in the different acts as they stand on the statute book, but simply to codify them so as to place the commissioner appointed to codify the laws in a much easier position to deal with them. There are some amendments, however, which they deem advisable to have made in advance, in order to enable them the better to work this branch of the department. I will explain them as we come to them.

On clause 5,

Hon. Sir MACKENZIE BOWELL—There is a change made in the constitution of the board, and for this reason: Inspectors of hulls are public officers and the department can command them at any time. The chairman of the board is also an officer of the government. The chairman selected is a practical ship-builder and so are the inspectors of hulls. If in every case where the inspection is to be made you had to go to the trouble and expense of selecting three practical shipbuilders in different parts of the country, it certainly would not be any better and would be more difficult and expensive.

Hon. Mr. MACDONALD (B.C.)—In case there are no inspectors of hulls where the examination is to take place what do you do?

Hon. Sir MACKENZIE BOWELL—You send them.

Hon. Mr. MACDONALD (B.C.)—We have no official of that kind in our province, and I do not know what would be done in case of inspection there.

Hon. Sir MACKENZIE BOWELL—We would have to appoint one specially or send one.

The clause was adopted.

On clause 11,

Hon. Sir MACKENZIE BOWELL—Under the old law the penalty was too high and it was found most difficult to convict. It was a positive penalty of \$400 and it now reads not to exceed \$500 and not less than \$100 and costs. The experience of the depart-

ment has been such as leads them to make this gradation of penalties.

The clause was adopted.

On clause 39,

Hon. Sir MACKENZIE BOWELL—Under the old law the collector of customs could seize under all circumstances. This clause is amended to leave it optional to the Minister to seize the vessel for a violation of the law where the penalties have not been paid.

The clause was adopted.

On clause 52,

Hon. Sir MACKENZIE BOWELL—I have known many instances where the investigation was necessary and should be made at once, and it has occurred often that some time elapsed before the council got authority to enable the commissioner to go on. This is a commendable amendment, so that the matter can be dealt with immediately.

The clause was adopted.

On the 56th clause,

Hon. Mr. POWER—That seems a very sweeping power to give to the Governor in Council.

Hon. Sir MACKENZIE BOWELL—It is a new clause.

Hon. Mr. POWER—And a highly objectionable one.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman evidently has very little confidence in the Governor in Council.

Hon. Mr. ALMON—I do not think it would be misused by the present ministry, but it might be by their successors, and we should provide for all these contingencies.

Hon. Mr. POWER—Parliament goes to work and carefully legislates and provides penalties for certain infractions of the law. Then we authorize the Governor in Council to remit those penalties which have been legally incurred. I do not always agree with my hon. colleague, but I do cordially agree with him here that this is mischievous legislation. What would the hon. gentleman think of this—supposing that in the Criminal Code, dealing with serious offences,

we inserted a clause that the Governor in Council might remit the penalty. I think it is most objectionable legislation. I do not care whether it has been the law or whether it has not; it is most objectionable legislation. The hon. gentleman will see that in the interests of the government itself it is most desirable that men who incur penalties under the law should not be in a position to bring political pressure on the government of the day to have fines remitted. That is what you would have in every case owing to the fact of the government having this power. Where a friend of the government, or a man who is a warm friend of friends of the government was subjected to a penalty under this Act, the government would be pestered with applications to remit the penalty. It is a clause which we should not pass.

Hon. Mr. PRIMROSE—Is it not possible that such a circumstance as this might occur—that something might escape the notice of the inspector which might come out later and on further information the penalty should not be exacted?

Hon. Sir MACKENZIE BOWELL—I have just called the attention of the clerk to the fact that there is no necessity for this clause, because full power is given to the Governor in Council to do that thing and everything else in the remission of duties, forfeitures, etc. The Governor in Council has the most extraordinary power under the Audit Act to remit duties or tolls payable to Her Majesty. The only restriction is that no duties of customs or excise paid on goods shall be remitted or refunded on account of such goods having been, after the payment of such duties, lost or destroyed.

Hon. Mr. POWER—They have to go before the Treasury Board?

Hon. Sir MACKENZIE BOWELL—Yes.

Hon. Mr. POWER—That is a protection.

Hon. Sir MACKENZIE BOWELL—Wherever power is given in any law for the remission of any money, it always goes before the Treasury Board and I am under the impression there is a provision in the Audit Act that no remission can be made unless by the permission of the Treasury Board. I see no necessity for this clause and I move that it be struck out.

Hon. Mr. ALMON—I think the objections to this clause are very strong, indeed. I appeal to hon. members to say if, where such remissions have taken place, they have not been ascribed to political influence. I dare say there has been many such cases where there was no foundation for it. Such legislation is opening the flood gates to the maladministration of the law. I should like to have my name recorded as voting against it.

Hon. Sir MACKENZIE BOWELL—I have moved that it be struck out. I fully concur in all that the hon. gentleman has said. My fourteen years, experience in the Department of Customs verifies every word he says. There was scarcely a decision made by my predecessor during his five years of office that I was not pestered to reverse, and if I could have it stricken out of the Audit Act altogether, I should be very glad of it.

The clause was dropped.

Hon. Mr. VIDAL, from the committee, reported the bill with amendments, which were concurred in.

The Senate then adjourned.

THE SENATE.

Ottawa, Monday, 13th April, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE DIVORCE COMMITTEE.

REPORT PRESENTED.

Hon. Mr. KIRCHHOFFER, from the Committee on Divorce, presented the following report:—

THE SENATE,
COMMITTEE ROOM No. 28,
WEDNESDAY, 8th April, 1896.

The Standing Committee on Divorce beg leave to make their Fifth Report, as follows:—

The Divorce Committee in the discharge of their duties have frequently to consult works upon marriage and divorce. Such of these books as are in the Parliamentary Library are in much request when Bills are contested or involve important points of law or procedure, and are, therefore, not always readily procurable, nor can they in fairness

to other persons entitled to their use be kept by the Committee ready for reference at all times during the session. The Library rules very properly prohibit writing in or permanent marking of books. This prevents such annotation of them as would record in a convenient way the manner in which the doctrines and cases referred to in the text have been applied in the practice of the Committee and in the legislation of Parliament. Your Committee think it would be convenient and advantageous to have a few of the leading and latest works on marriage and divorce for the special use of this Committee and of Senators generally. They therefore recommend the purchase of the following books, the cost of which will be a moderate sum :—

Macqueen—Practice of the House of Lords.

Hammick—Marriage Law of England. 2nd ed., 1887.

Brown & Powells—The Law and Practice in Divorce and Matrimonial Causes. 5th ed., 1889.

Bishop—New Commentaries on Marriage Divorce and Separation. Ed. 1891.

Dixon—Law, Practice and Procedure in Divorce. 2nd ed., 1891.

Winter—Manual of Law and Practice of Divorce. All which is respectfully submitted.

J. N. KIRCHHOFFER,

Chairman.

Hon. Mr. ALMON—Will the hon. gentleman be kind enough to inform me if these works are published in both languages?

Hon. Mr. KIRCHHOFFER—I believe these works can be had in the French language in France, but they are only in the English language in this country. The object of this report is that the committee should not be obliged, whenever they require to consult any of these books, to send to the library for them. Very often they cannot get them when they are needed. We want to have a nucleus of a little library of our own to which we can refer. The books mentioned in the report are the principal text books necessary, and the committee decided that we should have them on hand.

THE SESSIONAL INDEMNITY OF MEMBERS.

INQUIRY WITHDRAWN.

The notice of motion being read—

Hon. Mr. Power—

That he will call attention to the unsatisfactory condition of the law with respect to the sessional indemnity of members of both Houses, and will inquire whether it is the intention of the government to introduce, during the present session, any amendment to the "Act respecting the Senate and House of Commons," for the purpose of removing existing abuses?

Hon. Mr. POWER said: Inasmuch as the First Minister is just as familiar with this matter as I am, and as at this late period of the session, under all the circumstances of the case, it is not probable that any good end would be served by my discussing the matter to which the notice refers, I ask leave to withdraw it.

The motion was dropped.

THE OCEAN MAIL SERVICE.

MOTION.

Hon. Mr. DEVER moved—

That an humble address be presented to His Excellency the Governor General, praying, that His Excellency will be pleased to cause to be laid before the Senate, copies of all correspondence and writings between the Government of Canada, or any department thereof, with all steamship companies and others desirous of contracting for steamship services for carrying mails, passengers and freight of every description between the shipping ports of Canada and those of other countries which the government is now in treaty with or about to contract with, for such services in the near future.

He said: Hon. gentlemen, from the great success that has attended the opening of the winter port at St. John during the past winter, the pleasant duty devolves upon me to thank you, gentlemen of the Senate, and, also, the government, for any and every act of friendship that went to promote that most desirable object. As you are aware, without a convenient winter port in Canada by which our vastly increasing trade and commerce can be advantageously handled, this confederation of ours would be very incomplete, indeed. At a glance you must see that we would be at the mercy of a people who would have no interest whatever in us, only that arising from what they could make out of us by our large outlay of public money for constructing chains of railways throughout the various parts of this Dominion. And, here, let me point out how anxious those people are to checkmate us and take from us our natural and national rights, that they may convert them to their own advantage and into their own national ports. To show you all this, let me present you with an extract on this point. It is as follows :—

Reference was made the other day to the large appropriation made by the United States Congress to the harbours of Maine. The amount for Portland is \$800,000, and a considerable portion of this sum will be so expended as to help to develop the Grand Trunk facilities in that harbour. The Port-

land *Argus*, in some notes upon Mr. W. E. Davis, the newly appointed passenger agent of the Grand Trunk system, says that Mr. Davis not only takes great interest in Portland, but he believes that the place is "the natural seaport of Canada and that it can be made the seat of a great export and import trade with European countries." The *Argus* also adds expression of its belief "that the Grand Trunk will see its way to make Portland its outport, and, with enlightened self-interest, do much to improve its wharf property and maintain a line of trans-Atlantic steamers. Nature has done much for this harbour. Man can do something more. We are satisfied that the city, if it heartily co-operates with the Grand Trunk Railway, can make ours the most desirable harbour on the Atlantic coast, and give Portland a 'boom' such as it never had before."

I wish the government to perceive by this extract, and many others that I have here under my hand, what we have to contend with if we expect to develop the prosperity of our own country. They must see the necessity of protecting our own seaports against the efforts of strangers who are evidently planning to strangle our winter port, and take from us the advantages of Confederation. I will place before the government now the desire of the Board of Trade of St. John and the merchants of that city, who have studied this question in all its parts; so that the port of St. John, if it has not the geographical and other advantages they claim for it, they must submit to see their wealth and shipping go to other cities and shipping ports, even foreign ones at that. The following is a copy of the resolution of the Board of Trade, and I want to draw to it the Government's undivided attention, as being fair to all parts of this Dominion, asking nothing that any portion can find fault with them for conceding to us:

Resolved "That in view, of the success which has attended the Atlantic, freight services, from the port of St. John, during the season now drawing to a close, and in view of the fact, that the proposed fast mail service between Canada and the Mother Country will involve the employment of steamships fitted not only, for passengers and mails but also for the conveyance of large quantities of freight: This board believing that the passenger and mail service can be conducted with, at least, equal facilities through the port of St. John during the winter, and that the freight facilities of this port are unequalled by any other Maritime Province port—respectfully urge upon the Dominion Government that in calling for tenders for the proposed Fast Mail Line, no Canadian Port, be specially mentioned but that it be left open, to the Steamship Companies, tendering to select their own Canadian Ports, for the proposed service.

(Signed,) IRA CORNWALL,
Secretary Board of Trade St. John N.B.

I have nothing more to say on this question. I wholly leave it now in the hands of the Government.

Hon. Mr. WOOD—The subject to which the hon. gentleman from St. John has directed the attention of this House, is one of very great importance. I have received—as I presume some hon. gentlemen in this Chamber have—a copy of the resolution passed by the Board of Trade of the City of St. John, to which the hon. gentleman has referred, and which he has just read for the information of this House. I desire to say that I heartily concur in the proposition put forth by the Board of Trade of St. John, and my object in rising is to impress the matter upon the attention of the government, as well as upon the attention of this Hon. House. The hon. gentleman from St. John referred to the success which has attended the opening of steam communication between St. John and Liverpool direct by the Beaver Line Steamship Company during the winter. It will be, I presume, within the knowledge of many members of this House, that in November last a contract was entered into between the Dominion Government and the Beaver Line Steamship Company to establish a fortnightly service between the Port of Liverpool, in Great Britain, and the Port of St. John, N.B. Predictions were made by a number, among them some gentlemen who should be good authorities upon this question, and whose judgment and opinions upon the matter should be entitled to respectful consideration, that this scheme could not prove a success, that there was no business to justify the opening of communication of this kind, that very little freight would be offered and that even that little freight would be local in its character, and the only result of granting this subsidy would be to give to some of the deal shippers of the city of St. John cheap rates to Great Britain. I am glad to say that the result of the last winter's experience has entirely falsified these predictions.

Hon. Mr. DEVER—Hear, hear.

Hon. Mr. WOOD—These steamers were not obliged to fill up with deals, but, on the contrary, were able at each trip to find full cargoes, and these cargoes were largely composed of grain, flour, live stock, provisions, hay and agricultural products, principally

from Ontario and the West. Not only this, but freight offered in such quantities that the steamers were not able to carry it all, and they were obliged to put on three steamers, in addition to the number provided for in the contract, and thirteen round trips will be made this winter by the Beaver Line Steamship Company, instead of ten as was contemplated in the contract, and each time the steamers will have good cargoes. Not only this, but the development of this trade has had another very important effect upon the export trade from St. John. As is well known to the House, the Furness Line Company have been maintaining steamship communication between London, Eng., and St. John, N.B., calling at Halifax, both going and returning, for a number of years. In the past, and until this winter, these steamers found little to carry except the local freight that was offered. The development of this western trade by the Beaver Line Steamship Company, appears to have attracted the notice of shippers to this route, and I am glad to see that, this winter, the Furness Line Company has had a large amount of western freight to carry from St. John direct to London. In addition to this, another steamship line, the Donaldson Steamship Company, were led by the success that attended the venture on the part of these other companies, to put their steamers on this route and to make St. John their terminus on this side of the Atlantic. They have had steamships calling at St. John and have obtained, I believe full, cargoes as well. To show the wonderful increase in the export trade from the city of St. John as the result of these steamers coming there for cargoes, I find returns from one of the St. John papers of the customs exports during the month of January last amounting to \$545,000 as against \$162,000 in 1895 and \$116,000 in 1894. I see from a statement in the St. John "Sun" that, as a total result of this winter's operations, there have been 36 steamers of these three lines altogether loaded in St. John. These steamers have a tonnage of 69,175 tons, and they have carried away some three million dollars worth of our Canadian products. It must be borne in mind that this is not interfering with the traffic of any other Canadian line, but that this is all, or very largely at all events (with the exception perhaps of some small quantity of deals

taken from St. John) western trade which has been diverted from the United States ports has found its outlet at the port of St. John which is. I am glad to say, now in a fair way of becoming one of the winter ports of this Dominion.

Hon. Mr. BOULTON—Before the hon. gentleman concludes his statistics with regard to it, could he furnish information as to the decrease of the navigation? There was a commission appointed to investigate the subject, and I understand they found that the falling off was from 300,000 tons to 100,000 tons—was that due to the harbour or to the commercial policy of the country?

Hon. Mr. WOOD—I do not care to question the accuracy of the hon. gentleman's figures, but I should like to see them verified before I could accept a statement of that kind. I may say further that I do not see the relevancy of the hon. gentleman's question. I was pointing out that as a result of the action of the government in entering upon this contract with the Beaver Steamship Company, the attention of shippers had been directed to the advantage of the ports of the Maritime Provinces for the shipment of their produce in the winter time, and, as the result of that, some thirty-six steamers have been loaded there, principally with the product of the west, and that this large trade has been diverted from United States ports to our own Canadian seaports. That was the question to which I was endeavouring to direct the attention of the House, and I scarcely see the relevancy of the hon. gentleman's interruption. I was going on to observe in connection with this business, that the import trade by these steamers while it has been tolerably successful, has not been such as we might have hoped or expected. There is, however, I think, a fair explanation of this. The contract was not entered into until the month of November last, at which time importers generally had made their arrangements and sent forward their orders and had engaged their freight space for the winter importation. I am led to believe, from the reports which have reached me, that during another winter this line will find a good import trade as well as a good export trade. There is another point to which I would like to call the attention of the House while referring to this subject,

and that is the fact that it has been found that goods shipped by these lines of steamers, by the Beaver line particularly, to the port of St. John, have been delivered in St. John, some of them in 12 days and none of them have taken more than 13 from the date of shipment from Liverpool until the date of their delivery in Montreal.

Hon. Mr. ADAMS—Only in one instance.

Hon. Mr. WOOD—The goods shipped by other lines,—the Allan and Dominion lines—which land their goods in Portland have been, in the majority of cases, 14 days before they reached their destination. The difference has been in favour of St. John and shows that the facilities which that port offers for the transshipment and forwarding of goods are such as they can successfully compete with Portland and Boston, or any other United States ports, for delivery in Montreal and Western ports. The success of this port during the past winter goes very far to substantiate the claim which the people of St. John have so long and strongly put forward, that their port, as a shipping port, stands second to none of the sea ports on the Atlantic Coast. A good deal of prejudice has been created in the public mind by an erroneous impression with regard to fogs which prevail in the Bay of Fundy, that these fogs render the navigation of the Bay quite unsafe. We all know that the fogs which prevail, not merely in the Bay of Fundy but on the north Atlantic Coast generally are the chief sources of the dangers to which the north Atlantic shipping trade is exposed. The chief risk of shipping at the present day is the great danger of collisions and this danger is largely enhanced by these fogs. There has been a good deal of good natured discussion between the hon. gentlemen who represent the city of Halifax and the hon. gentlemen who represent the city of St. John, and also between the press of these two cities, as to the relative merit of the two rival sea ports and the prevalence of fogs in the neighbourhood of routes leading to them. I do not desire to enter into that discussion. I have always commended the earnestness and zeal with which the gentlemen representing the interests of those cities have advocated the respective claims of the two harbours. I was glad to find the other day, upon inquiry,

that during late years some effort had been made to obtain reliable data upon this subject. At a number of fog alarm stations, both on the Atlantic coast and on the Bay of Fundy, regular records have been kept showing the existence and duration of the fogs which occur during different months of the year. I have taken the trouble to examine these records, which were kept at different points on the Atlantic coast, and I was myself somewhat surprised at the result which these records show. I will read to this House a brief summary of the records kept at five or six of these different stations. At Chebucto Head, a point on the south coast of Nova Scotia, the records show that in 1892 there was 1,502 hours duration of fog, that in 1893 there was 1,232, and in 1894 1,457 hours, that the average for these three years was 1,398. At Quaco, a point in the Bay of Fundy, in 1892 the duration of the fog was 1,142 hours, in 1893, 987 hours, and in 1894, 1,121 hours, an average for the three years of 1,080 hours. The difference is 317 hours, or about thirty per cent of the duration of the fog. At Sambro, near Halifax, in 1892 there was a duration of 1,496 hours, in 1893, 1,356 hours, and in 1894, 1,725 hours, or an average in these three years of 1,523 hours. At Partridge Island, at the entrance of the St. John Harbour, the duration of fog in 1892 was 1,052 hours, in 1893, 1,017 hours, and in 1894, 1,186 hours, or an average for the three years of 1,084 hours. The difference is 439 hours in favour of Partridge Island in the Bay of Fundy, a difference of 40 per cent. At Cape Sable Island in 1892 there was 1,505 hours; in 1893 there was 1,310 hours; in 1894 there was 1,804 hours or an average for the three years of 1,539, while at Point Le Preaux, a cape near the mouth of the Bay of Fundy, the duration was less than at any other point. In 1892 there was only 745 hours, in 1893, 774 hours and in 1894, 778 hours, or an average for the three years of 754 hours. Another point in connection with that subject, which I find on examination of the different monthly records, is this, that in the Bay of Fundy fogs are mostly confined to the summer months, that they were most frequent and of the greatest duration during the months of July and August, and also in June and September, that during the winter months there is very little, scarcely any fog in the Bay of Fundy at all. On the Atlantic coast the fogs, as

in the Bay of Fundy are more dense and more frequent and of longer duration in the summer months than in the winter months, but they also occur there at intervals during all the months of the year. These figures are interesting, at all events, to those of us who live in the Maritime Provinces and they furnish reliable data upon a very important subject, and to my mind they fully justify the contention which the people of St. John have always made, that there is no harbour on the Atlantic Coast more easy of access and more safe for sailing vessels to approach at any time than the harbour of St. John. The navigation of the Bay of Fundy, from its mouth to the harbour of St. John, is as safe as any other part of the world. The bay is wide; there are no shoals or rocks to obstruct the course of navigation, and in fair weather steamships by this route can maintain their full rate of speed until they reach their destination. The resolution of the Board of Trade, to which the hon. gentleman has made reference, asks that in the contract which we hope is to be entered into in the near future for the fast Atlantic Mail Service, it shall be left to the steamship company which undertakes that service to select its own terminal port on this side of the Atlantic. I may say I heartily approve of the proposition which that resolution contains. I do not wish, in doing this, to be understood as advocating the claims of St. John as opposed to the claims of Halifax or any other port. Halifax certainly has this very great advantage, that it is by a number of miles—I do not know the exact number—I think 200 or 300 nearer to Europe than the Port of St. John. There is one thing certain, that it will be necessary for the company which undertakes this service to select a port which will enable them to make the voyage in the shortest possible time for the success of that enterprise. In my opinion it will be determined by the fact whether by this route we can reduce the time taken for the journey between Europe and America very much from the time required going by the present route to Boston and New York. While, if all other circumstances are the same, the company performing the service would, under these circumstances, select the port nearest to Europe and make the ocean trip as short as possible. I think it is fair—it is quite safe at all events, to leave the selection to the company themselves and to enable each of the great seaports in the Maritime Pro-

vinces to press their own claims and to obtain the full benefit of any advantages that they may possess. For these reasons I heartily endorse the action of the Board of Trade, and I desire to press the matter, which my hon. friend from St. John has brought to the notice of the House, upon the attention of the government, and upon the attention of the House, and I trust when this contract will be entered into, this condition will be incorporated in it.

Hon. Mr. POWER—I wish to say a few words in reply to the hon. gentleman who has just resumed his seat. The hon. gentleman has been good enough to say that there is a good deal of jealousy between St. John and Halifax. As a citizen of Halifax I beg to say that that jealousy does not exist in Halifax; and hon. gentlemen will observe that there has been no unfriendly word from any representative of Halifax in this House for some considerable time, although my hon. friend from St. John has on several occasions brought before the House claims of St. John for consideration at the hands of the government and parliament. I was somewhat surprised, I may say, at the statistics with respect to fog produced by the hon. gentleman from Sackville. If I had known that the hon. gentleman proposed to take such pains to show that St. John was a port possessing attractions superior to those of Halifax, I should have tried to fortify myself with the material to reply. There is just one observation, however, which occurs to me on the spur of the moment with respect to those fog statistics. I do not know whether they are official, or whether they are statistics which have been procured in the interests of St. John. Everyone knows how statistics will tell different stories, according as they are used by one person or another; they are proverbially calculated to mislead; but I notice with respect to these statistics, that the two stations selected in Nova Scotia, are two places which are specially liable to suffer from fog. Partridge Island, in the mouth of St. John Harbour, has been taken as a point to compare with Sambro Island, outside of the mouth of Halifax Harbour, and with Chebucto Head. Now, Chebucto Head is about nine or ten miles and Sambro Island about fourteen miles from Halifax, and out to sea, and in order to institute a fair comparison between the harbours of St. John and Halifax with

respect to fog, the observer should have selected some point as far from St. John as Chebucto Head or Sambro Island is from Halifax. If we were to take Mauger's Beach lighthouse, which stands in about the same position with relation to the city of Halifax that Partridge Island does to the city of St. John, I am satisfied the statistics would tell the other way. Very often when there is a fog-bank lying out about Sambro and Chebucto Head, the weather is perfectly clear a little distance inside.

I quite concur with what has been said by the hon. gentleman from St. John and the hon. gentleman from Sackville, as to allowing the company who propose to tender for the fast service, to select their own port. I say, as a citizen of Halifax, that I should be perfectly satisfied that that matter should be left to the company tendering. I rejoice, as coming from the lower provinces, that the experiment made by the government this year in subsidizing those steamers running to the port of St. John has been so successful. Although it is possible, and very natural, that I should prefer that the subsidy had been given to a line of steamers running to Halifax, still, it is infinitely better that the freight should be carried by a line of steamers running to St. John than that it should be carried by steamers running to Boston. Boston is, I think, the port from which the Canadian Pacific Railway ship the bulk of their goods; and this suggests another idea to me, which I commend to the favourable consideration of the government. Although the Canadian Pacific Railway Company have for a long time had their road running into St. John, it is only during the past year, and apparently as a result of this subsidy, that they have shipped much freight from St. John, and have been able to ship in considerable quantities from that port to advantage. Now, the government own a line of railway of nearly 700 miles, which has its Atlantic terminus at Halifax. Unfortunately, that line does not come to Montreal—it only comes to Lévis—but the Grand Trunk Railway, which is the other great Canadian railway competing with the Canadian Pacific Railway, and which connects with the Government railway at Lévis, has now come under new management, and I believe a more intelligent and enlightened management than it has been under during the past few years, and if the government will deal with Halifax as they have dealt

with St. John, if they will offer a subsidy to a line of steamers coming to Halifax, and will take steps, in conjunction with the management of the Grand Trunk Railway, to give nearly—they cannot give quite as favourable terms to Halifax as are given to St. John, because the distance from Montreal to Halifax is something greater—but if they will endeavour to offer nearly as good terms for freight coming over the Grand Trunk Railway and Intercolonial as are given to freight running over the Canadian Pacific Railway, I have hope that the Intercolonial and the Grand Trunk Railway will do a deal of work, and that a very considerable quantity of freight will be shipped from Halifax.

Hon. Mr. ALMON—I perfectly agree with many things in the speech of my hon. colleague. I am very glad indeed to hear that St. John is getting the trade which formerly went by way of Portland, and as a Canadian I am certainly very much pleased to hear it. I am afraid that St. John is so much nearer Montreal, Halifax being 340 miles further away—

Hon. Mr. POWER—Excuse me, by the Intercolonial there is only 100 miles difference.

Hon. Mr. ALMON—St. John is so much nearer to Montreal that some freight must go by way of that port in preference to Halifax any way it is fixed. For instance, cattle: we all know that cattle suffer much more from railway travelling than while they are on board ship, and any cattle for Europe coming from Montreal will be shipped by St. John instead of by way of Halifax. There may be some other freight likewise that will go by that route, but we must consider that a swift line is one that will take passengers and light freight, and there is not the slightest doubt that Halifax, being two days nearer Liverpool and London, any vessels which are intended for passenger traffic must stop at Halifax in preference to having two more days sea voyage to St. John. Any light goods, which it is important to forward quickly to the west, will go by way of Halifax. I was very much astonished to hear of the safety of navigation in the Bay of Fundy from the hon. gentleman from Moncton. I think there is an island just at the entrance to the Bay of Fundy

called Cape Sable Island, where the steamship Hungarian was wrecked and not a soul was left to tell the tale. One of the Cunard Line boats was wrecked there also, and it is a constant menace to the navigation of the Bay of Fundy. I read in a paper the other day an account of damage done to a vessel entering the harbour of St. John. If the suggestion made by the hon. gentleman from St. John the other day, that a dredge should be used to improve the entrance to the harbour of St. John, had been acted upon the accident would not have occurred. It was due to the existence of a bar at low tide at the entrance to the harbour. Speaking of the prevalence of fogs, I think something should have been said about the thickness of the fogs in the Bay of Fundy.

Hon. Mr. BOULTON—What about Sable Island?

Hon. Mr. ALMON—Cape Sable Island is different altogether from Sable Island. Cape Sable Island is at the mouth of the Bay of Fundy, and there have been many wrecks there, and everybody knows there is a current at the mouth of the Bay of Fundy which cannot be calculated on. Every sea captain says that he cannot calculate on it, because it goes different ways at different times. Labourers at St. John Harbour charge \$4 a day, while in Halifax they take the regular wages, \$1.50. That is in favour of Halifax Harbour. I think it will puzzle the senior member from Halifax to make Halifax as near Montreal as St. John is. Therefore he should be content to lose the freight in cattle, which I think St. John will have, but for passenger traffic and light freight Halifax is so much superior to St. John that I am willing, as my colleague says, to leave it to the company to decide between the merits of the two cities.

Hon. Mr. DEVER—The people of St. John, as far as I know, have a feeling of delicacy about saying anything against Halifax. As for myself, I have invariably spoken in the highest terms of Halifax, and at the same time I have expressed my regret that there should be an apparent struggle between the two chief cities of the Maritime Provinces. Our complaint is that Portland, a city in a foreign country, is trying to get from us the results of the development of this country. It is only

towards Portland that there is any feeling of opposition, and we claim that we have a right to see that the products of Canada shall not go to enrich a foreign city while Canada has two seaports of her own. To give you an idea why we should have a feeling of opposition, I can read to you the amount in value of Canadian produce sent in one shipment from Portland this winter, showing that Portland is the great rival of St. John and not Halifax. It is from that point of view that I mention the matter. Halifax has natural advantages and has all the benefit that can be derived from them. St. John is nearer to Montreal by some 275 miles. It is true that Halifax is nearer to Europe, but you have to go over 275 miles of land carriage to get to Halifax. However, what I want to say is, I hope the people of Halifax will not think we are jealous of them. My hon. friend near me referred to two islands in the mouth of the Bay of Fundy. Those two islands do not belong to New Brunswick. In fact, they belong to Nova Scotia, and they are not in the Bay of Fundy. I did produce here certificates of the highest order from pilots who brought vessels up the Bay of Fundy, one of them who has taken over 200 vessels up, and who has never met with an accident, who set forth that the Bay of Fundy is one of the safest sheets of water on the coast of North America. After that, ordinary citizens have no right to set up their own individual opinion in contradistinction to the declarations of scientific men, mariners of the first class and pilots. There are other points that I should like to mention to the House, though I do not like to prolong the debate. One is with reference to the trifling accident which occurred in the harbour of St. John. The fact is, some of the passengers, seeing a train at the wharf ready to start for Montreal, were anxious to catch it, and they induced the pilot to enter the harbour when the water was at its lowest. The pilot made a miscalculation of six inches as to the depth of the water, and the consequence was that he met with a trifling accident. It did not amount to anything, but our adversaries tried to make out that it was something serious. The port wardens are investigating the matter and investigating the conduct of the pilot who brought the ship in. At all events, it is so insignificant that it is hardly worth talking about.

Hon. Mr. BOULTON—I interlarded a remark while the hon. gentleman from Sackville was speaking with regard to the falling off of importations and shipping in the port of St. John. The remark was not made with any view of detracting from the merits of the question which the hon. gentleman from St. John desired to bring before the House, but to elicit, in the debate on this question, what it is that is causing a reduction of our trade. Turning to the public returns, I find that the exports from the port of St. John in 1893 were \$3,943,000, in 1895 they were \$3,310,000, a reduction of \$630,000 in two years. The imports entered for consumption were \$3,594,000, in 1893, while the imports entered for consumption in 1895 were \$3,548,000. I will read the returns for the same period with regard to Halifax. In 1893 the exports from Halifax were \$6,438,000, in 1895, they were \$7,376,000 a slight increase. The imports entered for consumption at Halifax in 1893 were \$7,000,000 and in 1895 they were \$6,816,000 so that we see a falling off in the trade of both cities in the three years. That is a serious question, added to the fact that the shipping generally has fallen off very largely. I do not know to what extent it has, but I understand a commission was appointed—probably the hon. gentleman from St. John knows about it—to inquire into the cause of the diminution of shipping, and the figures show a very great reduction indeed. It is an unfortunate position, but I do not attribute it in the slightest degree to any want of facilities that the port of St. John or the port of Halifax offers. I attribute it entirely to the failure of the commercial policy which we have been following in so long in affording that trade which cheapens rates. Hon. gentlemen put in a sarcastic “hear, hear” now and then, yet these are facts and figures that cannot be controverted. We have a notable example of what a sound commercial policy can do in the case of the solitary free trade port on the Pacific, Hong Kong, whose trade is over \$200,000,000 a year and I believe exceeds that of all other ports on the Pacific. A free port does it. Here we have been going on year after year with a fine harbour like St. John, and yet the flour which is produced at the mills of Peterboro’ and other parts of Canada, finds its way to Halifax by way of Portland or Boston. It is not due to the cause that the

junior member from Halifax mentioned, but it is something else which is diverting trade from Canadian channels and the subsidy which is intended to divert Canadian trade through St. John which now finds its way through more circuitous channels must be aided by the removal of restrictions to trade before it will fully develop the capabilities of St. John as a shipping port. It does not depend so much upon local advantages as the attraction for shipping to seek freights there which lowers ocean rates and thereby builds up the port. It will be impossible to keep Canadian trade away from Portland or Boston so long as we pursue the present trade policy. I believe that an improved commercial policy would do more for our shipping than anything else we can do.

Hon. Sir MACKENZIE BOWELL—I have no objection to bringing down all the information that was moved for by the hon. gentleman from St. John that the government has in its possession I do not know that it is necessary, at this juncture of our proceedings, to enter into anything like a discussion upon the merits or demerits of the trade policy of the country, or the causes which have led to its falling off at some ports and increasing at others. The remarks made by the senior member from Halifax I thought were very pertinent. He showed that to give mere bald figures to represent either the volume of trade or the effect of fogs might be susceptible, in the hands of others, of putting a different complexion on the facts and leading to quite different conclusions. Now, the fact that trade has been diverted, to a very great extent, from the Maritime Provinces to the United States sea ports in the past has been on account of the facilities and cheap rates which have been offered by the competing lines running to the southward. It is no evidence of declining trade at Halifax or St. John when the hon. gentleman tells us that the value of the goods imported into either of those ports last year was less than the value of goods imported three or four years ago. To come to a correct conclusion on a point of that kind, you must find the difference in value of the goods imported to-day and of goods imported three or four years ago. The hon. gentleman knows that as well as any member of this House, for very few have given this question more study and devoted more time in their researches into the effect upon trade of a particular

policy than the hon. member from Marquette, but I am afraid like most free traders, he takes a one-sided view of the case. If you had 100,000 tons of goods imported into Halifax three years ago that was value at say \$50,000 and you had the same tonnage imported this year and it was 33½ per cent less in value, it does not show that there was any falling off in the actual trade of the country.

Hon. Mr. BOULTON—How about the falling off in the shipping?

Hon. Sir MACKENZIE BOWELL—I explained that a few moments ago. I am speaking of the values now. Do not mix the two. The same argument applies to exports. If you export 100,000 bushels of wheat one year and it enters into the trade returns at one dollar a bushel, you would have to export the next year 200,000 bushels if it was only worth 50 cents a bushel, to reach the same value, and while the volume of trade would be increased it would show no increase in the returns. It is only by taking the two facts together that you can arrive at anything like a correct deduction from the trade returns. I have been very much pleased with the facts brought before the House to-day both by the hon. member from Sackville and the hon. member from St. John. It proves that we have accomplished at least that which this country has been trying to do for a quarter of a century, and which they anticipated when Confederation took place, that we can have a winter port in Canada. That is the most pleasing feature to me, and the very policy that has been adopted by the government of late years has been to divert our trade from United States ports to ports in our own Dominion. If we can accomplish that by paying a little out of the public treasury by way of subsidy, I hope it will not only be continued, but that the subsidies will be quadrupled in the future. I am not speaking of St. John or Halifax in particular, but if there is anything to be gained by it, I should be glad to see it extended to Halifax and other ports. The city of Halifax has not been neglected in the past; it is only of late years that more attention has been paid to the port of St. John, and if St. John or any other port can be made an outlet of the great western traffic which is growing every year, the object of Confederation, in that

respect, and the dreams of the Canadian people for the last quarter of a century, will be accomplished. I understand the hon. gentleman from Sackville to say that the figures which he gave us were from authentic records, and that they were not prepared for the sake of extolling and bolstering up St. John harbour.

Hon. Mr. WOOD—They were from records kept at the different stations.

Hon. Sir MACKENZIE BOWELL—Then they are so much more valuable. I only refer to that because of the remark made by the senior member for Halifax, that he did not know whether they were official records, or whether they were prepared for the purpose of proving to the House that St. John Harbour was not that harbour of fogs which we have been led to suppose in the past. I hope my hon. friend from Marquette will, when he studies this question, give his attention to both sides of the question, and that he will not take merely the figures as they appear upon the record, without entering into a consideration of the causes which have led to a falling off or an increase, and I am quite sure, with his ability for research, that he will find out the true state of affairs.

Hon. Mr. MACDONALD (B.C.)—Can the hon. gentleman from Marquette tell us what the revenue of Hong Kong is? There are no productions of tea and sugar in Hong Kong, and therefore it is only a warehousing place for the ports of China. The goods come there from many parts of China to be shipped to other countries. I think the revenue of the colony is very small, whereas if the exports belonged to it the revenue would be very large.

Hon. Mr. BOULTON—I cannot from recollection state the revenue of the port, probably it is not a very large one. It is only a very small Island, but it is a seaport that concentrates a very large trade, and it derives its large trade because, being a free port, it attracts shipping from all parts of the world, and there is where traders who want to ship their goods to the world generally can get the cheapest rates. That is the reason its shipping is 14,000,000 tons annually. Being a free port it attracts shipping, and what we want to do is to attract shipping to our ports by increased

trade, and we will get reduced rates, and the thing will multiply itself in consequence. Increasing trade decreases rates, and that is not the effect that is being produced now upon our seaports.

Hon. Mr. DEVER—I may state to the hon. gentleman from Marquette that it is no wonder the imports of St. John are reduced. I can look back to the time when we had not a tallow candle manufactured in this country. I can remember when we had not a box of soap manufactured in this country, and now those things are manufactured by ourselves, and how can the importations be so great?

Hon. Mr. BOULTON—What do they cost?

Hon. Mr. PERLEY—About a quarter of what they did before.

Hon. Mr. DEVER—We used to import almost everything, and now we manufacture almost everything, and how can the imports be as large?

The motion was agreed to.

REPRESENTATION IN THE NORTH-WEST TERRITORIES.

BILL INTRODUCED.

Hon. Sir MACKENZIE BOWELL introduced Bill (R.) "An Act respecting the Representation of the North-west Territories in the Senate of Canada." He said: The bill is very short and reads as follows:—

Section 1 of chapter 3 of the Statutes of 1887 is hereby repealed and the following substituted therefor:—

The North-west Territories shall be represented in the Senate of Canada by three members.

The population in that portion of the Dominion has increased to such an extent as to justify the introduction of this bill so to enable the Saskatchewan portion of the North-west Territories to be represented in the Senate. The districts of Alberta and Assiniboia are represented, but there is no representative for that vast country which comprises the Saskatchewan district. Upon the second reading of the bill, or on going into committee, I will give further details, if necessary, that will justify the House in passing the bill; I hope that the business of the House of Commons will be such as to

enable them, not only to introduce a bill, but to carry one through, giving another representative in the popular branch of the legislature to represent that section of the Dominion of Canada. The bill was read the first time.

THIRD READINGS.

Bill (72) "An Act respecting the Montreal Park Island Railway Company."—(Mr. McMillan).

Bill (82) "An Act respecting the Kingston, Smith Falls and Ottawa Railway Company."—(Mr. Clemow).

Bill (28) "An Act to incorporate the Huron and Ontario Railway Company."—(Mr. McMillan).

Bill (M) "An Act respecting the inspection of Steamboats and the examination and licensing of Engineers employed on them."—(Sir Mackenzie Bowell).

BEHRING SEA COMMISSIONERS' BILL.

SECOND READING.

Hon. Sir MACKENZIE BOWELL, moved the second reading of Bill (Q) "An Act respecting the Behring Sea Claims Convention."

The motion was agreed to.

Hon. Sir MACKENZIE BOWELL, moved that the bill be referred to a committee of the whole House to-morrow.

Hon. Mr. BOULTON—I think at the second reading of the bill, it is not inappropriate to call attention to the fact that there is a bill being presented to congress for the destruction of seals. I do not know exactly from what source the pressure is brought to pass such a bill, but I may say it would be a very disastrous measure if such a thing were contemplated. The seal is a very valuable animal, valuable in trade and valuable for many purposes, and it seems unwise to contemplate their complete extinction because what they call poaching on the high seas is what we call exercising our legitimate rights on the high seas. It would be subversive of the interests of this country if such a thing were to take place. We had a notable incident of that in

our North-west Territories, where the buffalo has become an extinct animal. The buffalo was a very valuable animal for the food and for the robes it produced. The buffalo has been totally destroyed, and very largely on account of the jealousy that existed between the hunters on the United States side of the line and the hunters on the Canadian side of the line where the buffalo used to travel from north to south in search of pasture. The buffalo were destroyed wholesale by being driven into corrals and wantonly slaughtered irrespective of the demand of trade. They probably never will be restored to the plains. Their places are being taken by cattle, but there is nothing to take the place of seal life in the same way, and any attempt to destroy seal life simply on account of the difficulties between the hunters of the two countries or a want of proper co-operation in the preservation of all kinds of fish life from wanton destruction would be a very great wrong. For that reason I thought that while we were going into committee it would not be an inappropriate time to call attention to it.

Hon. Mr. MACDONALD (B.C.)—There is a United States Company who leased the Pribyloff Islands where the seal rookeries are, and on seeing this proposed legislation, they have intervened to prevent it. I presume the bill is to bluff us, or make us do something we will not do otherwise. They want Behring Sea patrolled by the British ships or they will kill all the seals. Well, it simply cannot be done.

Hon. Sir MACKENZIE BOWELL—I do not think any United States statesmen of any prominence look upon the proposition to exterminate the seal in any other light than as absurd, but it appears to be the opinion of some members of Congress that because they cannot have their own way exclusively in the controlling and management of seal life in the Pacific, and because British subjects are reaping some benefit from the seal, that therefore they will completely destroy seal life. No one looks upon that as being in earnest. The great object of United States statesmen at the present moment is to get sole control, or control to the fullest possible extent, of the seal, not only upon the islands, but also upon the high seas, to have such restrictions and such

regulations adopted between the governments of Great Britain and the United States as to prevent the possibility of killing them anywhere except on the islands which are controlled by themselves, and where no British subject dare go to kill seals unless he poaches. I am quite sure the United States Congress or United States people would never consider that question seriously. In reference to the bill before the House, I might mention that they have a similar bill before Congress at the present time, to give the commissioners, when they are sitting, to adjudicate upon the different claims, in the United States, the same power that we propose to give the commission while it sits in Canada in order to compel the attendance of witnesses.

The motion was agreed to.

PROTECTION OF NAVIGABLE WATERS BILL.

THIRD READING.

The House resolved itself into Committee of the Whole on Bill (P) "An Act to amend the Act respecting the protection of Navigable Waters."

(In the Committee.)

Hon. Mr. MACDONALD (B.C.)—I am very much pleased that the Hon. Premier has introduced this bill. It will remove a wreck that is an eyesore to the people of Victoria—something which has been an eyesore to them for five or six years, and there has been no means to remove it, because it did not obstruct navigable waters. Under the previous Act the government had not the power to remove it. I will call the attention of the Premier to line twenty-five, which mentions the persons from whom costs may be recovered. It says, costs may be recovered from the owner of such vessel, or managing owner, or master, or person in charge and so on. That would throw the whole thing on the pilot or captain who could not be found, and that is not the intention of the government, although the pilot is the man to blame for this wreck; he had been in those waters twenty-five or thirty years and that rock is well-known. He brought the ship right on to the rock, and I certainly should never have given him his license, although he has got it from the

license commissioner. I think there are too many made responsible for the cost of removal.

On clause 2,

Hon. Sir MACKENZIE BOWELL—This is the old law which has been upon the Statute-book for a great many years. The only change that is made in this clause is in order to give effect to the amendment of the first clause which refers to vessels wrecked and in a similar position to that to which the hon. gentleman from Victoria has called attention. Then in the fifth line of the second clause some words are added to the old law as it now stands on the Statute-book. The fourth line reads "Navigation of any navigable water occasioned" and these words were added "or in manner aforesaid likely to be occasioned by the wreck." Then if you pass on to the seventh line these words are added "or other thing or with such authority has caused to be removed any vessel or part thereof, wreck or other thing cast ashore, stranded or left upon any such property as in the last preceding section mentioned." Then the word "wreck" is added after the word "thereof" in the twelfth line, and in the twenty-fifth the word "fault" is added after the words "or from any person through whose act or." That would bring it home to the pilot, and to any person who was really guilty of neglect, and whose neglect caused the vessel to run on the rock. As to the parties from whom the costs should be claimed, there is no change in that portion of the act, and I fancy a moment's reflection would lead one to the conclusion that we would have to add the owners of the vessel, otherwise you would scarcely recover anything from the captain. The pilot would not be likely to have anything, nor would the sailors, and, unless you hold the vessel itself and the owner responsible, you would be in precisely the same position that you would be if a vessel violates the law against smuggling. You may say the penalty should be on the captain, but the captain might have nothing. You must put the penalty on the vessel, and hold the vessel owner, however innocent he may be, responsible for the conduct of his employees.

Hon. Mr. MACDONALD (B.C.)—That is my contention, that the owner should be held responsible and not the captain.

Hon. Mr. VIDAL, from the Committee, reported the Bill without amendment.

The bill was then read the third time and passed.

CIVIL SERVICE ACT AMENDMENT BILL.

THIRD READING.

The House resolved itself into a committee of the Whole on bill (10) "An Act further to amend the Civil Service Act."

(In the Committee.)

Hon. Mr. MACDONALD (B.C.)—The Premier will remember that when this bill was read the second time I called his attention to the advisability of making some provision for superannuation. The hon. gentleman objected to the amendment which I proposed on the ground that it would come properly as an amendment to the Act now before the House. There are a number of amendments required to the Civil Service Act and any amendment made now to this bill could be properly made and it could be put in its right place in the consolidation of the Act. Consolidation must take place in any event, and the amendment could be put in proper sequence.

Hon. Sir MACKENZIE BOWELL—The Superannuation Act is a separate measure. The only provision in the Civil Service Act which relates to superannuation, gives the Governor in Council power to declare what classes of officers shall be placed under the operation of the superannuation law, and I do not think it would be proper to introduce it in this bill. This measure is simply to correct some few errors that occurred in the last bill, which bears heavily on a certain class of civil servants. I have had a number of suggestions made to me, some by the civil servants themselves, others by members of the other House, and the matter has been discussed fully by my colleagues. I thought that, considering the length of time that the session of parliament will last, and the few days that we have at our disposal, if radical changes were proposed in the bill, we should be very apt to lose it altogether. Our principal object is to deal with this particular question of third class clerks, who are placed in a very

unfavourable position under the present law, and it was not intended that they should be.

Hon. Mr. MACDONALD (B.C.)—I will not insist on any amendment, but it would be advisable to have some amendment, such as the one I have proposed.

Hon. Mr. POWER—Without entering upon a discussion of the merits of the amendment which my hon. friend proposes, I cannot see how it is improper or irregular to add it to this bill. This is a bill to further amend the Civil Service Act, and as I understand the amendment which the hon. gentleman wishes to propose, it is one to require that before dismissing a civil servant he shall receive reasonable notice of his dismissal.

Hon. Sir MACKENZIE BOWELL—Either the hon. gentleman from Victoria or I misunderstand it. His object is to prevent the superannuation of any civil servant until he has had ample notice. It was not the question of dismissal.

Hon. Mr. POWER—It is retiring him from the service.

Hon. Sir MACKENZIE BOWELL—There is a vast difference between pensioning a man and dismissing him.

Hon. Mr. POWER—Misconduct is another thing.

Hon. Mr. MACDONALD (B.C.)—My amendment is something like this: whenever it is necessary to superannuate any civil servant except in case of misconduct he shall receive at least three months' notice previous to such superannuation.

Hon. Mr. OGILVIE, from the Committee, reported the bill without amendment.

The bill was then read the third time and passed.

WRECKS, CASUALTIES AND SALVAGE BILL.

IN COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (L) "An Act

to amend the Act respecting wrecks, casualties and salvage."

(In the Committee.)

Hon. Sir MACKENZIE BOWELL—The department and the law Clerk of the Senate deem it advisable to change subsection "i" and simply to give a wider interpretation to the word "wrecks." I move to strike out "i" and insert the following:—

The expression wreck includes all moveable property not in the actual or constructive possession of the owner thereof, stranded on the shore of, or sunk in, or floating on any navigable waters within the territorial limits of Canada.

The object of this is to cover lumber or timber floating down the river or stranded on the shore.

Hon. Mr. POWER—I think the expression wreck, as it is now defined, would include bullion, for instance, which a passenger had in a trunk. However, we can look into it to-morrow.

Hon. Sir MACKENZIE BOWELL—This is a matter that has occupied a good deal of the attention of the law clerk of the Senate and also the law clerk of the Marine and Fisheries department, and this is the conclusion at which they have arrived.

Hon. Mr. DEVER, from the committee, reported the bill with an amendment.

The Senate then adjourned.

THE SENATE.

Ottawa, Tuesday, 14th April, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THIRD READING.

Bill (81) "An Act to revive and amend the Act to incorporate the Alberta Irrigation Company."—(Mr. Dickey.)

BUILDING AND LOAN SOCIETIES IN ONTARIO BILL.

THIRD READING.

The order of the day being read for the third reading of Bill (K) "An Act respecting Building Societies and Loan and Savings Companies carrying on business in the province of Ontario."

Hon. Mr. AIKINS moved—

That the bill be not now read the third time, but that it be amended by adding the following words at the end of the second clause:—

"No shareholder who is in arrear in respect of any call on his shares, or in default to the company on any money payment shall be eligible to be elected a director."

The motion was agreed to, and the bill as amended was then read the third time and passed.

THE COMMITTEE ON DIVORCE.

FIFTH REPORT OF THE COMMITTEE ADOPTED.

Hon. Mr. KIRCHHOFFER moved the adoption of the fifth report of the Standing Committee on Divorce.

The motion was agreed to.

REPRESENTATION OF NORTH-WEST TERRITORIES IN THE SENATE BILL.

SECOND READING.

Hon. Sir MACKENZIE BOWELL moved the second reading of Bill (R) "An Act to amend the Act respecting the representation of the North-west Territories in the Senate of Canada." He said: the whole bill consists in this clause:—

Section 1 of chapter 3, of the statutes of 1887 is hereby repealed and the following substituted therefor:

That the North-west Territories shall be represented in the Senate of Canada by three members.

The Act as it stands on the statute book reads "two" instead of "three." The only change in the Act itself is substituting the word "three" for "two," thereby giving to the district known as the Saskatchewan district a representative in the Senate. A bill has also been introduced by the Minister of the Interior in the House of Commons to give an increase of one member in the House of Commons to that particular district; in other words, to divide what is now known as the Alberta district, which will put the

southern portion of that immense territory into one electoral district and the northern portion, known now as the Saskatchewan district, into another. The present bill I have already explained. I need not make any statement as to the reasons which have induced the government to introduce this measure, further than to say that when the representation of that portion of the country was established, there were in the Alberta, Assiniboia and Saskatchewan districts a population of only 48,382, which meant one representative for each 24,000 of the population. These figures are taken from the census of 1885. As hon. gentlemen know, there is a census taken every five years in that portion of the Dominion, and according to the general census of 1891, the population is shown to be 66,799. By the census taken in 1894 by the Mounted Police, who are stationed through the different sections of that country, the number was then 86,000 and I have no doubt that at the present moment the number is between 90,000 and 100,000. We all know that there has been a considerable influx of population into that section of the country within the last two years—into what is known as the Edmonton district, both to the north, to the east and the south-east of that portion of the North-west. No doubt it is due to a very great extent, to the success which has followed farming operations in that part of the country, and the facilities which have been afforded by the construction of the railway from Calgary to Edmonton. It is thought, as an act of justice to that section of the country, that this increase of representation should be given both in the Senate and in the House of Commons.

Hon. Mr. POWER—I do not rise for the purpose of opposing the bill. I am not opposed to it, but I wish to advert to the arguments of the hon. leader of the government in favour of the bill, which I do not think should commend themselves to the House, as the bill itself does. The hon. gentleman stated that when the North-west Territories were given two members in this House the population was only 48,000.

Hon. Sir MACKENZIE BOWELL—That is the population as given in 1885.

Hon. Mr. POWER—The hon. gentleman stated that at the present time the population

was probably in the neighbourhood of 90,000 or 100,000. The North-west Territories were given, for reasons which seemed good to Parliament at the time, representation out of all proportion to their population at the beginning, and it is not a legitimate argument to say, that because at that time, when they had a population of only 48,000, Parliament thought proper to give them a representation of two members in the Senate, they are therefore now entitled to a larger representation. If the hon. gentleman will turn, for instance, to the province of Ontario, he will find that over 2,000,000 of people have a representation of only 24 in the Senate, just about one representative to every 90,000. The population argument is not as strong as the hon. gentleman seems to think. There is one other feature which occurs to me. The interests of the North-west Territories are fairly well looked after in this House now. It is true that we have only two members representing that section of the country; but it is only fair to say that these two members make themselves heard very distinctly, and not, infrequently, and if the government proposes to add a third member of the same stamp as the two who now represent that country, the North-west will have more than its fair share of the Hansard, at any rate. There is another consideration in connection with this bill. I shall be disposed to support it even more cordially if the hon. First Minister will undertake that this third seat in the Senate is not to be filled until after the coming elections. I think that is only a reasonable request to make. We have two gentlemen now to represent one side of the House from that part of the country, and it would be only fair to give the other side a chance of representation.

Hon. Mr. BOULTON—I received this morning or yesterday the following petition.

To the Honourable the Senate and House of Commons of Canada in Parliament convened:

The petition of the undersigned electors of the North-west Territories respectfully sheweth:

That the Dominion Act governing federal elections in the North-west Territories is a direct interference with the privileges and rights of the electorates, giving general dissatisfaction on the following grounds:

1st. That it does not provide for any revision of the lists, but leaves the voter in the hands of the enumerator, a system entirely opposed to justice or the spirit of our constitution:

2nd. That the time allowed by the Act, six days, is inadequate and in glaring contrast to the two months set by the Dominion Franchise Act for the rest of the Dominion, and practically a discrimination against western constituencies.

Therefore, we, your petitioners, respectfully pray that your Honourable houses will as a matter of simple justice to the North-west Territories, cause such amendments to be made in the Act as will remove the evils complained of, and place the western electors on an equality with the rest of the Dominion in the next general election, and your petitioners will ever pray, etc.

Hon. Sir MACKENZIE BOWELL—What has that to do with this bill?

Hon. Mr. BOULTON—I do not know, but it appeared to me to be a good opportunity to bring the subject to the notice of the government, and I thought when this bill was before Parliament something might be done to ameliorate this condition when the bill went into committee of the whole. I received it from one of the associations known as the Patrons of Industry yesterday.

Hon. Sir MACKENZIE BOWELL—The petition which the hon. gentleman has just read may be pertinent to the bill which has been introduced in the House of Commons, but as we have no electoral districts for the Senate, I do not know that it is at all pertinent to the present measure. However, if he leaves it with me I will hand it to the Minister of Interior, who has the other bill in charge, and if the grievances which are complained of exist we must try and remedy them. I freely admit the force, although not strictly in order, of the statements made by the hon. senior member from Halifax—particularly when he refers to the principle upon which representation is based in the House of Commons. It is not so applicable to this House, because although the Confederation Act declares the number who shall have seats in the Senate in each division of the Dominion as it then existed, it had not so much reference to population as to the desire and wish of the fathers of confederation to establish a branch of the legislature which would be totally independent of the popular influences that surround those who represent us in the House of Commons, though the principle to which he has alluded is fully recognized in every redistribution Act since Confederation as applicable to the other branch. Take as an illustration the Muskoka district. In 1871, when the bill was introduced

ced, one complaint was that the Muskoka district at that time had only between 7,000 and 8,000 inhabitants. Before ten years had rolled round, however, it had a population quite equal to any other constituency, and to-day though not the most densely populated, its population is sufficiently large to justify the division of that district and giving it another representative. And so it is precisely in the west. I am glad my hon. friend does not oppose the bill, and I hope in the selection of the third member, should it fall to the lot of those who now oppose the government to make it, that they will select a representative who will take the same interest, and will be as indefatigable in representing to the Dominion Parliament the resources of that country, as have been the two gentlemen who are now representatives of the west; although I should hope, if I may do so with due respect to my hon. friend from Shell River, that they will not have such extreme views on the trade policy as he has. As to leaving the question of appointment until after the next election, that is a matter we will take into our serious consideration, provided we get the bill through the two Houses. I have no doubt, however, that the hon. gentleman will find himself in precisely the same position then that he is in now. His prophecies we have heard for the last fifteen or twenty years, and we have had the same expression of confidence uttered by gentlemen who would like to change seats in this House, although that is a very comfortable seat which he has occupied for the last fifteen or twenty years. The result of the next battle will, I trust, in the interests of the country, be the same as the last.

The motion was agreed to, and the bill was read the second time.

BEHRING SEA CLAIMS CONVENTION BILL.

THIRD READING.

The House resolved itself into a Committee of the whole on Bill (2) "An Act respecting the Behring Sea Claims Convention."

(In the Committee.)

On clause 2,

Hon. Sir MACKENZIE BOWELL—I called the attention of the Justice Depart-

ment to the suggestion of the hon. the senior member for Halifax that the word "other" should be inserted before the word "thing" in the 17th and 25th lines of the second section of the bill now under consideration, and was told that the form of expression used in this section is a copy of the form suggested for use under similar circumstances by the English Society of Comparative Legislation, presided over by Lord Herschel when Lord Chancellor. One of the objects of this society is to bring about uniformity of expression in British and colonial legislation. Under the circumstances, I think it better that the clause should remain as printed in the bill, particularly as it is one that has been adopted by the Imperial Government in dealing with civil questions for some time past.

The clause was adopted.

Hon. Mr. MACKAY, from the committee, reported the bill without amendment.

The bill was then read the third time and passed.

WRECKS, CASUALTIES AND SALVAGE BILL.

THIRD READING.

Hon. Sir MACKENZIE BOWELL moved concurrence in the amendment made in Committee of the whole House to Bill (L) "An Act to amend the Act respecting Wrecks, Casualties and Salvage."

The motion was agreed to and the bill was then read the third time and passed.

AN IMPERIAL FREE TRADE ZOLLVEREIN.

MOTION.

Hon. Mr. BOULTON rose to move:—

That it will result in a benefit to the material and commercial interests of Canada, if we were to adopt the offer indicated by the Right Honourable Joseph Chamberlain, Colonial Secretary, for an Imperial Customs union based on a free trade Zollverein.

He said: In introducing this motion, hon. gentlemen, I quite recognize that a resolution of that kind, emanating from the Senate, would not carry the same weight as the same resolution emanating from the

House of Commons. It deals with the principle of taxation, and in that respect it may not commend itself, probably as a motion for us to adopt in the present stage of the question. I propose to discuss. If it was a motion coming down from the House of Commons, it would be then in order for us to express our views upon it, and to discuss it upon its merits as presented in that form. Notwithstanding that fact, I think hon. gentlemen will agree with me that it is a very proper thing in this House to take up public questions of large interest, such as this, and give them a certain amount of attention, and whatever may be the value of the views of the hon. gentlemen in this House as an educative force. The great body of the people are engaged in their own avocations, and have to form their views upon the great political questions of the day as they are presented through the daily press. Unfortunately, the views of senators do not find as wide diffusion or public expression as the House of Commons, but I venture the view that anything that is advanced of a sound nature, regarding their political interests, while it does not reach the public as rapidly as through the same channels of communication as anything proceeding from the House of Commons, will in due time become known and the value of the ideas that are expressed will be gradually extracted and the public will receive whatever benefit there may be in them, and public opinion is modified by the enumeration of sound principles of legislation, and economic public policy. It is with those feelings in view that I proceed to discuss what is really a very important question. It is a question that has been before the public for a great many years in some form or other. It is unnecessary for me to point out that we are united in one bond of sympathy, so far as being under a common sovereign and having a common constitution as the governing principle and the motive power of legislation in every part of the empire, an empire that is more extensive than any other empire that has ever yet been built up in the history of the world. The only comparison that we can make is with the Roman Empire, but that empire so very powerful and enlightened, existed at a time when the world was very circumscribed and the guiding principles of that empire were not derived from that high standard that our Christian civilization has handed down to us

through all the centuries that have elapsed since the collapse of the Roman Empire. Every part of the world, I think, now has been penetrated and brought into communication with every other part by the most improved and enlightened methods that civilization has developed during the last century, and therefore the unification of an empire, such as the British Empire, for the purpose of advancing civilization and promoting the material interests of the world, is a question that is, quite apart from its political significance, one worthy of our best consideration. There are two views of public policy in regard to our commercial life. The one is the expansion of commerce over the world's surface, the other the restriction of it within limited bounds, according to the ideas of people who may occupy those limits—that is the divergence of the two views. The principle which has prevailed in Great Britain has been the expansion of commerce, and with the expansion of commerce must come an extension of power. Those ideas, carried out under the commercial principles of free trade, have placed not only the British nation in a very prominent position so far as regards its wealth and power, but has shed a lustre on every part of the British dominions under the same sovereign and the same constitution, and it is with the idea of taking a more advanced position in the history and progress of the world that the Right Hon. Mr. Chamberlain, the Colonial Secretary of the British Empire, has brought before us a question for the further expansion of imperial commerce and that the same benefits that have so marvellously accrued to the United Kingdom and the people residing there under free trade may be extended to every portion of the British Empire. Those I believe are the only motives that have caused the hon. gentleman to take the stand that he has at the present moment. He has seen that for some time these ideas have been occupying the minds of the people in various parts of the Empire. We had some five years ago meetings of Boards of Trade and Chambers of Commerce in London where the subject of imperial unity and commerce was the subject of discussion. Then about two years ago we had here assembled in Ottawa a conference of the various colonies of the British Empire, with a delegate from the British Government, and views were expressed there leading in the same direction. Naturally

they were the views that were expressed by the governments that were in power at the time. Of course governments are the expression of the public opinion for the moment, and the ideas and principles of government change just according as the people receive light or information, that will cause them to make any change. Therefore the views that were expressed at that conference might be views which would be changed when an appeal to the people could be had upon any question of that kind. The leader of the House of Commons, Sir Charles Tupper, who has been our High Commissioner in Great Britain for some years, laid down the principle of preferential trade, in the remarks that he made before the Montreal Board of Trade a couple of months ago. As I gather from the tone of his remarks he proposes that Canada shall continue her protection, but if England will give a small preference to the commerce and industries of Canada that we will give England a small preference in the Canadian markets. That is, we shall maintain protection against Great Britain, but we will not maintain as high protection against Great Britain as we have against the United States and other foreign countries. Whether that preference is to be given by making the duties higher against foreign countries, or making them slightly lower in favour of Great Britain, he does not indicate, but the principle of protection is to be maintained under the preferential trade that he has advocated, apparently, before the Montreal Board of Trade. This position the Hon. Mr. Chamberlain combats as detrimental to British commerce. The fact that this question has been discussed and is being thought over by the people of the colonies and the out-lying portions of the empire has caused the Colonial Secretary to try and direct them into some channel that can be acceptable to all parts of the empire. With that idea he made a speech in London, in a very proper place, the Canada Club, where probably an opportunity was opened out to him to make just such a speech as he has made. Probably it was his purpose there should be an indefiniteness about the ideas he expressed, so that we cannot get an absolute fixed idea as to what he did mean. But I have compared several reports of his speech as published in various papers, such as the *London Chronicle* and the *Daily Telegraph*, with the

report which reached us through our public journals, and I was struck with the wonderful accuracy and great length at which the speech was given to us in Canada the day after it was delivered in England, and that the telegraphic report varied very little indeed from the report as it came to us through the public press of England. I think that of itself shows a marvellous change that has come over the world in so far as we are brought so closely together as that, that an accurate report of an important speech should reach us at our breakfast table almost as early as it is put on the breakfast table of the British people themselves. Now I will read an extract from a *Daily Telegraph* which is very much the same as all the reports that have been presented to us; and he says towards the conclusion of his speech:—

My fourth proposition is that a true Zollverein for the Empire, with free trade established throughout the Empire, although it would involve the imposition of duties against foreign countries, and would be in that respect a derogation from the high principles of Free Trade and from the practice of the United Kingdom up to the present time, would still be a proper subject for discussion, and might probably lead to a satisfactory arrangement if the colonies, on their part, were willing to consent. Now, it has been assumed in Lord Ripon's despatch, and in many other documents, that the colonies must necessarily refuse to consider a proposal of this kind because it would interfere with the necessities of their revenues, that they are obliged to rely upon indirect taxation for the fund by which their administration is carried on, and that they could not enter upon such an agreement as this without providing ways and means by methods which—at present, at any rate—are altogether unpopular in many of our colonies. I am not convinced of the truth of that statement, and I want especially to point out that the advantages of such a proposal are so enormous to the colonies, that they would undoubtedly lead to the earliest possible development of their great natural resources, would bring to them a population, would open to them the enormous markets of the United Kingdom for their products, their food, their timber, their sugar—the advantages, I say, are so enormous that it appears to me that the colonies themselves would be bound to give such a suggestion their careful consideration. (Hear, hear.)

My second point is, that we are dealing with an entirely exceptional state of things, and could not, even if you wished, imitate exactly the German Zollverein. We are not co-terminus countries; we are countries separated, as I have said, by thousands of miles in some cases, and the circumstances of our different countries vary so considerably that it is clear that, in any general free trade arrangement, exception must be made in the case of articles which are chiefly taxed for revenue purposes. For instance, we could not admit free trade in spirits or in tobacco, and to every gentleman of experi-

ence other articles will suggest themselves which in one part of the Empire or another are subject to strictly revenue duties, and which might by common agreement be excluded from such an arrangement. But the principle which I claim must be accepted if we are to make even the slightest progress is, that as between different parts of the empire protection shall disappear, and that duties shall be revenue duties, and not protective duties—(cheers)—in the sense of protecting the industries of one part of the Empire against the industries of another. It seems to me that if that principle were adopted there would be at least a reason for calling a council of the Empire, for calling for representatives from the different states which form the Empire, and although the subject would be one of enormous difficulty, of the greatest complication, still, with the good will that exists, and with the ultimate goal in view, I cannot but believe that something like a satisfactory working arrangement might be arrived at. (cheers.) And, although in such a case the principles of free trade would lose something in their application to the dealings between ourselves and foreign countries, advocates of free trade must remember how much they would gain by its extension to all states that form the British Empire, states which are, after all, whatever may be said, more likely to develop and increase in prosperity and population, and wealth and power, and commerce and enterprise than any of the foreign states.

The gist of the right hon. gentleman's proposal seems to me to be contained in that extract. His speech was a very long one and dealt with the difficulties that presented themselves to his mind in adopting any policy that meant protection. That is to say, that protection to the empire, in the same sense as we have protective duties upon Canadian industry, would be an impossibility to Great Britain, because it would pull down the whole commercial structure that they have built up under the policy of free trade. It would reduce the wealth, reduce the power, and interfere altogether with the current of the enormous trade and the prosperity that they have built up, and to the detriment of all those nations with whom they interchange their trade. Now, it is evidently the desire of the Hon. Mr. Chamberlain, who realizes what prosperity has been brought upon the people of the United Kingdom solely through the influence of free trade, that the same principle should be extended to the whole empire in order that they may share in the marvellous prosperity that it has generated. In order to justify that I quote an extract from the speech of the Chancellor of the Exchequer, on the 18th of March, on bimetallism, as follows :

The question was one of extreme complexity, and there was extreme danger of altering the currency unless we were sure the circumstances warranted such a step. (Hear, hear.) His hon. friend had painted a very dark picture of the condition of the country. It was always agreeable to say that we were ruined—(laughter)—but he cast some doubt on the views of his hon. friend. From the information he had received he found that on the whole the country was singularly prosperous. (Cheers.) He believed there never was a time when any country in the world was better able to bear an enormous load of taxation with less discomfort to the taxpayer. (Cheers.) The wealth of the country was very great, and it was diffused more generally perhaps than at any previous period. The volume of our trade was enormous, and it was increasing and improving since last summer. (Ministerial cheers and laughter.) Therefore if he looked at the condition of the country generally, he saw no reason whatever to justify a change in our currency system. (Cheers.) He admitted that there were great interests that were suffering, such as that of agriculture, and the cotton industry of Lancashire. But what was the cause of that depression? In both cases the cause was low prices. (Hear, hear.) Would they be cured by the adoption of bimetallism?

The total foreign trade of the British Empire amounts to very nearly \$6,000,000,000. It is quite possible, if all the component parts of the empire were to adopt the same principle that prevailed in Great Britain, that that same foreign trade would, in a measurable distance of time, be increased from \$6,000,000,000 to \$12,000,000,000. Now, hon. gentlemen, can you realize what an enormous benefit that would be, not only to the countries which enjoy a direct share in that trade generated under free trade but to the people of the world at large, to an increase the employment of labour which is one of the problems we have to deal with. We have to deal with the problem of the employment of labour. It must be painful to any one to realize the enormous amount of labour on this continent that is without the means of employment—not people who are unwilling to work, not people who have not got the skill and the power to work, but there absolutely is no employment for them, because trade is restricted within narrow limits. That, I take it, on this continent, both in the United States and in Canada, is due to the restrictions that are put upon trade. We in Canada, as I have already explained, have to limit the power of our industries, so far as the manufacturing is concerned, to the demands of 5,000,000 people. It is restricted to that and cannot get beyond that. We cannot employ labour in any part of our

country except for the purpose of working and manufacturing for the 5,000,000 people that are in Canada. The reason of that is not far to seek; because protection, which involves a duty upon all kinds of materials that are required by manufacturers, and by labour, increases the cost of all our industries to such an extent that, we are prevented in consequence of that increased cost to transport the product of our industry beyond the bounds of Canada into the markets of the world. That is made manifest to everyone by the current of our trade as shown through our reports. Now the result of free trade would be to change that. The object of free trade is to place everything that the world produces within the reach of the people of Canada at the very lowest possible cost and with their intelligence and their skill and their ability and their industry we would be able to build up and expand our commerce beyond the bounds of Canada to an extent that it is hardly possible for us to conceive, when we come to realize the enormous extent of country which is under our control, the enormous extent of country that is now being controlled and restricted in its operations by the commercial policy that we have had for the last seventeen years mentioned. Not that I wish to condemn the initiation of the principles of protection; not that I wish to pass lightly over the benefits that have accrued to the country from that protection, but I do say this, that everything goes to show us that we have reached the limit when protection is of advantage to the country and the experience we have gained that it is reactionary in its effect is of great value to the people. We have reached that limit when it can be considered a national policy, in so far as it extends the power and increases the national wealth or population of Canada. That, I think, hon. gentlemen, must be manifest to every one, and it is that condition that has been brought to light by our census returns, a study of which, and a study of the public returns for the past five or six years, has compelled me to differ from my old friends in the commercial policy that they are still apparently determined upon keeping in force. Whether this timely offer of the Hon. Mr. Chamberlain, to introduce a new policy in regard to our commercial affairs, will have any effect or not, it is impossible for us to say; but there is this to be considered, that the offer is an exceedingly

timely one, that as the Hon. Mr. Chamberlain himself says, the Zollverein of Germany was brought about first by two of the states of what afterwards became the German Empire agreeing together and forming a union. That union was built upon and added to until a powerful German Empire was initiated, not only initiated but consummated. Now, the confederation of Canada was brought about in very much the same way. The province of Ontario and the province of Quebec first formed a union, and for some years they worked under that union. Then the next step that was taken in regard to our confederation was an extension of that principle by including the province of Nova Scotia and the province of New Brunswick, and then it became a union of four provinces until it expanded and extended itself over the whole of the northern part of the continent of North America, a national heritage that every Canadian may well be proud of. The Hon. Mr. Chamberlain suggests that a commencement be made in the line of his ideas by some similar movement, and by the union of two portions of the British Empire to agree together to trade upon an equal footing—that is to say, to inaugurate the principles of free trade in order that both enjoy the benefits of the expansion of trade under that principle, and he evidently in his remarks points to Canada as being the nearest country, and a country of the widest extent that will receive a large benefit from the initiation of that movement. I say it is unworthy of us to consider this now from the narrow standpoint that it may be a disturbance to some of the industries of the country—that it is going to take away from the sugar refiner the power of increasing his wealth—that it is going to take away from the distiller the power of increasing his wealth, or the rice miller, etc., now increased by protective legislation. That is a narrow and short-sighted view. While there may be disturbances in some portions of Canada by a change of that kind, they are so few in extent that they should not be considered in the slightest degree in the promotion of such a great object. Although there may be disturbance of some industries, their places will be promptly taken by other and larger industries by the same labour. The adoption of a policy of this kind will be followed by increased activity in every channel of communication, both on the ocean

and internally that Canada possesses. After having given it much thought and study, coming from the interior of the continent where I have for 17 years been watching the growth and progress of each district in the west, from its solitude until it is now developing resources which are capable of adding largely to the wealth of Canada—trade that must find its way and distribute itself to everyone—but, hon. gentlemen, I say the policy we are pursuing is a restrictive policy so far as that western country is concerned and that the country is being impoverished. It has been sustained financially by the influx of capital through loans upon farmers' lands in many cases, where distress has been caused by low prices for produce on one side and high prices for necessaries on the other. The evidence of that impoverishment may be gathered from what we read in the *Citizen* this morning that 7,000 acres of our best agricultural lands belonging to Sampson & Kennedy's estate only realized, at public auction, fifteen cents an acre. That is the value apparently put upon it by capitalists, a value solely due to restriction. The intrinsic value of that land is \$20 an acre if commercial conditions are such that farmers can pursue their avocation free from legislation designed to direct the profits of labour into favoured channels. It has led to a large amount of mortgaging, which of necessity compels us to remit annually, a certain amount of interest. To the extent it has impoverished us by forcing us to pay high prices for everything we require, prices which are controllable by legislation. I say that we in the west are being held down by the commercial policy that is at present in force. I do not pretend to argue whether this eastern part of Canada is being held down or not. The people of eastern Canada should know for themselves whether they are, but the facts and figures, so far as our public returns are concerned, show that there is a restriction of trade and impoverishment of the people, because any increase that is shown in the public returns with regard to our exports and imports is the result of the expansion of the country, and if we were to take away the industry generated in Manitoba, the North-west Territories and British Columbia, which in 1878 were not included in the trade of Canada, but to a very limited extent, the returns

would show a lamentable deficiency in general prosperity and trade of the country, so far as the country east of Lake Superior is concerned. Of that there is no doubt, and the fact is impressing itself daily more and more upon the people of Canada. So long as we were constructing large public works, such as the Canadian Pacific Railway, borrowing largely for the building of large public works of that kind, the revenue was maintained, because the money that was borrowed was expended in material of all kinds. In consequence of the influx of so much money, or what represents money, supplies, the revenue was maintained and prosperity was generated; but for the last three or four years we have rested on our oars. The government realized that it was better for us to call a halt to any further expenditure. The very moment we called a halt and depended entirely upon the motive power that protection has given to the trade of the country, there was a falling off in the returns—a diminution of revenue, an increase of our debt and a falling off in our imports. We see that our imports and exports are changing places, and are not doing that which our trade should do for us. Therefore, I say the moment is very opportune, indeed, for Mr. Chamberlain to put forth an idea of this kind, so far as Canada is concerned.

Hon. Mr. SCOTT—Does the hon. gentleman lead us to believe that Mr. Chamberlain advocated a tariff against the rest of the world if we want closer trade relations with the mother country?

Hon. Mr. BOULTON—No.

Hon. Mr. SCOTT—Where would be the difference?

Hon. Mr. BOULTON—Mr. Chamberlain proposes that so far as all the component parts of the British Empire are concerned, there shall be absolute free trade between them—that the principle of protection shall be eliminated in so far as trade within the empire is concerned.

Hon. Mr. SCOTT—But we would have no preference in the British market?

Hon. Mr. BOULTON—We would have no preference in the British market, but he

says that would leave us the right to erect barriers, if we chose ourselves, against the United States. We would not compel the people of Great Britain to put up a tariff against the United States, or Germany, or France, or any other country, but we would have the right to do so ourselves. We could, if we chose, keep up our protective wall against the people of the United States or against the people of Germany.

Hon. Mr. SCOTT—Not Germany. Under the treaty with Germany the colonies are obliged to give the favoured nation clause that England is bound to give Germany, so if we let British goods in we would have to let German goods come in.

Hon. Mr. MACDONALD (B.C.)—We could denounce the treaty.

Hon. Mr. BOULTON—So far as our commercial treaties are concerned we would have to admit the goods of those countries with which we have treaties, but certain countries with which we have not treaties we would be able to erect barriers against. For instance, we have not got a treaty with the United States, and will be able to erect barriers against them. I do not think we have treaties with Japan, or China or Spain.

Hon. Sir MACKENZIE BOWELL—England has. Spain is a party to the favoured nations clause.

Hon. Mr. BOULTON—I understood Spain to have withdrawn from that treaty.

Hon. Sir MACKENZIE BOWELL—She did, after making arrangements for a preferential treaty with the United States; but after the United States repealed what is called the McKinley Act, she withdrew from it and an arrangement was entered into between Great Britain and Spain by which she should retain the benefit of the favoured nations clause. When our attention was called to that, no objection being taken to it, we were bound by that treaty to allow Spanish wines and other goods which we now admit on a lower rate of duty from France on the same terms.

Hon. Mr. BOULTON—Spain withdrew from it before the McKinley Act was repealed and in consequence of the Marquis of

Salisbury's Hastings speech threatening to meet discrimination with discrimination. I quite understand that all the countries with which we have treaties, or the British Government has treaties in which we are included, would have the same advantages in our market that Great Britain and the various colonies would have, but that will not affect us. We will only improve our position. If a conference was held to deal with this question, and it was found that that was an objection, then, of course, the government of Great Britain would have to give notice to Germany that they wished to abrogate that treaty and we would be free, but I do not think that the trade of Great Britain would justify the taking of that step. Therefore, if you were to adopt the principle of free trade within the empire, whatever concessions we gave to the people of Great Britain would carry with them the concession of admitting the products of those countries. It would not carry the concession of admitting the products from the United States with which we have, next to Great Britain, the largest trade. The trade with France, Germany and other countries is so small that it does not affect the question in the slightest degree, but under free trade our commerce with those countries would increase enormously. I will give a few figures to show what that trade is. We import from the United States \$63,000,000 worth and the United States buy from us \$36,000,000 worth. That is to say, we purchase from the United States \$25,000,000 worth more than they purchase from us. Then we take Great Britain: we purchase from the people of Great Britain \$38,000,000 worth, and the people of Great Britain purchase from us \$68,000,000 worth; so that in order to regulate and pay our debts to the people of the United States, from whom we purchase \$25,000,000 worth more than they purchase from us, we sell to Great Britain, and they supply us with money to pay them. That is the overplus of the trade. We purchase from the British West Indies \$1,265,000 worth, and they purchase from us \$3,500,000 worth. We purchase from Newfoundland \$815,000 worth; Newfoundland purchases from us \$2,818,592. We purchase from Australia \$156,000, and Australia purchases from us \$322,000. Now there is a population with an enormous trade, yet the trade between Australia and

Canada under protection is less than half a million dollars. Change the commercial condition under which we are suffering, and you will see what an expansion of trade will take place between those two countries on the Pacific Ocean. We purchase from the East Indies \$176,000 worth. What they purchase from us is not given. We purchase from Africa \$16,000 worth. Our trade with Africa is not given. From China and Japan, we purchase \$2,500,000 worth, and China and Japan purchase from us \$540,000 worth. Now, why do we not ship to China and Japan, the market that wants of what we produce, I have no doubt, more than \$500,000, while we have to pay them \$2,500,000? Then, Germany last year increased very rapidly her sales to us. We purchased from Germany last year \$5,871,000 worth, and Germany purchased from us \$2,000,000 worth. Germany is a protective country. Canada is a protective country. The trade is restricted between the two. Then, we purchased from France \$2,510,000 worth, and France purchased from us \$554,000 worth. France is a highly protective country, and we only sell to France \$500,000 worth, although we purchased \$2,500,000 worth.

Hon. Mr. MACDONALD (B.C.)—They do not require our products, they grow their own grain.

Hon. Mr. BOULTON—Why did we have a treaty with them last year, if they did not want our products?

Hon. Mr. MACDONALD (B.C.)—We want their products.

Hon. Mr. BOULTON—They want our timber and fish, and if we can produce what France requires at a cheap rate and force our way through the barriers better than other nations do, we cannot tell what the trade will increase to.

Hon. Mr. MACDONALD (B.C.)—Where can they get cheaper timber?

Hon. Mr. BOULTON—Norway and Sweden, Germany, Austria and the United States—these are great exporters of lumber.

Hon. Mr. MACDONALD (B.C.)—The United States are not a free trade country.

Hon. Mr. BOULTON—No, timber is outside of the principle of free trade. Timber

is a perishable article. You cannot produce a tree in half a century, and therefore you are parting with your capital when you are parting with your timber. You are not creating by the commercial policy something which you can import from abroad and manufacture into something and send abroad again. Timber does not bear that relation. Timber is your capital and our Canadian pine is something we have that very few nations possess. There are only half a dozen nations which possess timber. It takes 50 years to produce a pine tree; cattle are prepared for market in three years; a bushel of wheat is produced in one year, and manufactures are the continuous employment of labour in converting raw material through its various stages into articles for general use, and in that respect they all differ from our lumbering industry. Now, the figures I have given show the condition of our import and export trade between those countries I have mentioned and Great Britain. That will show you our position as between the United States and Great Britain, that Great Britain's market for our products was \$68,000,000 last year, while the United States market for our produce was \$36,000,000. In consequence of our not having any coal in the heart of our country, it being at the extreme ends, we have to purchase a great quantity of soft and hard coal from the people of the United States. That is one article which goes to swell our purchases, I have no doubt, from the United States. I do not know exactly what the others are made up of. However, it is interesting to us to note in what way our trade spreads itself and the fact that the United States, our next door neighbour, a populous country, and the United Kingdom, a part of the British Empire, are our two largest customers. In discussing this question, hon. gentlemen, it has to be narrowed down exactly to the effect that it is to have upon those two large portions of our trade. Now the trade of the United States, as I said before, will not be affected by the policy advocated by the Hon. Mr. Chamberlain. It merely advocates that we should adopt free trade, not that England wants a preference over any other country, not that England wants us to adopt free trade for her benefit. I do not think that is the motive power at all; but realizing the enormous prosperity and the enormous advantages that have accrued from the commercial principle of free trade, the Hon. Mr. Cham-

berlain desires that all parts of the Empire should share in that. He speaks of a customs union the revenue from which shall be divided upon some equitable basis. I do not know exactly what he means by that, whether he means to say that we will share a portion of the large revenue of Great Britain, to assist us while we are working up into the new condition in which free trade would place us. If he does, it would overcome one of the difficulties which so frequently presents itself to the minds of the people as to where our revenue was going to come from. The revenue of Great Britain is upwards of £100,000,000, and whether \$3,000,000 or \$4,000,000 of that would accrue to our share while we were overcoming the first difficulties in which we might be placed by adopting free trade, I am not prepared to say, but at any rate he does, in the course of his remarks, speak of a customs union and the collection of a revenue under the customs union which shall be distributed upon some equitable basis. Of course, they are all crude ideas that are advanced and they are very indefinite, and their very indefiniteness makes them so much more valuable that while it is non-committal on the part of everybody, it opens the way for a discussion that is extremely useful. Now hon. gentlemen, what is the position that we find the people of Great Britain in? As I had the honour to make some remarks on this very question, a week or two ago I pointed out in 1895 the increase in the commerce of Great Britain over 1894 was £20,000,000. Now in the present condition of affairs what do you find? That in the months of January, February and March, three months, the increase of foreign trade to the people of Great Britain amounts to £20,000,000, as much increase in the last three months as there was in the whole of last year. There was an increase of £20,000,000 in 1895 over 1894, and in the first three months of 1896 there is an increase again of upwards of £20,000,000 over and above the period of 1895; so that hon. gentlemen see, that while other countries are feeling the depression sorely, especially on this continent, the people of Great Britain are enjoying a most marked degree of prosperity. During the same period of three months, our trade increased slightly but not to any very appreciable extent. Our exports increased but I do not think our imports increased in proportion. The reason our exports increased is that we have had a

large crop in our western country and the marketing of that crop, and the trade that is stimulated in consequence of the marketing of that increased crop and its transport during the winter months in consequence of the reduction of rates by the Canadian Pacific Railway on all rail routes by 5 cents a bushel, has stimulated the exports of January, February and March over the corresponding months of 1895, instead of waiting for the opening of navigation on the lakes in May, and it is to that fact that the increase is attributable. It is not to any increased prosperity in our eastern markets. I would point out another item, in order to show that our commercial policy—a very important item which deals very largely with our foreign trade—and that is our shipping. Now, hon. gentlemen, we built and registered in 1874, 183,000 tons, and in 1894, 21,000 tons. That is the condition in which our ship-building rests. Then our sea going ships in and out; the British shipping going in and out in 1876, which is the first year that we have a record of, was 1,896,603 tons, and in 1894 it was 4,146,645 tons. Then Canadian shipping—that is shipping owned and registered in in Canada—going in and out was 1,634,333 tons, and in 1894 it was 2,334,000 tons. The foreign shipping—that is neither British nor Canadian—of ocean going vessels was 2,379,828 tons in 1876 and 4,779,810 tons in 1894, making a total of 5,910,000 tons in 1876 and 11,280,000 tons in 1894. The ocean shipping of British Columbia which is a new class of trade entirely so far as our public returns are concerned, amounts to 2,000,000 tons so that, taking away British Columbia which did not appear in the earlier returns, our shipping has increased to 9,000,000 tons. With the addition of the heavy produce in the shape of cattle and grain that we produce in the western territory which has come into play of late years, shipping of cattle from Canada, the increase in our shipping is not a gratifying one at all for such an immense country, with so many sea ports. The percentage of British shipping in Canadian ports is 42.5, Canadian 19.1 and foreign shipping is 38.4. In 1874 or 1875 was the first year that a beast was ever sent alive across the Atlantic, and that trade has grown enormously. However the shipping and our imports and exports are the returns that we have to depend upon in figuring upon the healthi-

ness of a commercial policy or the reverse, and I submit that the figures that are put down there are an evidence that we are not now progressing under the principle which we have been following, that at present there is stagnation, I see in the city of Toronto which has always supported a protective policy and has always returned members wedded to the protective policy of the government, that this question came up before the Toronto Board of Trade, because there is going to be a meeting in London on the 8th June next of the Chambers of Commerce of various parts of the empire, and a certain number are invited from Canada, from Australia and from the outlying portions of the empire. I believe there is going to be a meeting of the Board of Trade in Ottawa this evening to discuss this very question. The Toronto Board of trade adopted resolutions identically upon the lines of Mr. Chamberlain's offer. Those resolutions every one has read and they are published. The resolutions read as follows:

Whereas, in view of recent events, and the attitude of other nations towards Great Britain, and of the fact that there exist within the British Empire resources in men and materials and arable land for its every requirement;

Whereas, while the trade legislation of other nations is framed to subserve their local interests, all British trade and other legislation should aim to secure within the empire a union of interest of a federal character, and the policy of each British community should be designed to retain within the empire subjects whose labour would otherwise go to foreign lands;

Whereas, Canada has already formed a basis for closer relations with the mother country and other colonies by building a highway across British America, by creating steamship connection between Vancouver, Hong Kong, New Zealand and Australia, by offering a large subsidy for a fast Atlantic steamship service, as well as by her established precedent of Confederation, making for British unity;

And whereas, closer commercial relations between the mother country, her colonies and dependencies will be hastened by further subsidizing fast steamship services and completing postal, wire and cable communication with the different portions of the empire, thus making such routes for commerce, food supply and munitions of war the fastest and most secure from attack;

Resolved, that in the opinion of this Board of Trade the advantages to be obtained by a closer union between the various portions of the British Empire are so great as to justify an arrangement as nearly as possible of the nature of a Zollverein, based upon principles of the freest exchange of commodities within the empire consistent with the tariff requirements incident to the maintenance of the local government of each kingdom, dominion, province or colony now forming part of the British family of nations.

I shall only impose myself upon the House so far as to read what Mr. Wilkie, a prominent banker, the manager of the Imperial Bank, Toronto, said at that meeting:—

Mr. Wilkie said he was strongly in favour of the resolution, although he was inclined to go further in the point embodying the Chamberlain idea (applause) they had been looking for many years for a man occupying a responsible position to bring that idea forward. He had now come to the front, and the idea came from the man occupying the most prominent position in the British Empire, in political circles. We had much to be thankful for in the present outlook. Not many years ago the eyes of all people were looking in another direction, not because of lack of patriotism, but rather by force of circumstances. Some, like himself, at that time opposed the idea, hoping that light would arise as it had arisen. He was glad to see how all now supported the imperial idea. What could be more gratifying than to feel ourselves in touch, not only with the race from which we are sprung, but with subjects of every zone and every land? To explain what was involved in a Zollverein was perhaps a little difficult. It was not so much a union meaning division of revenue proportionately to population, or to the revenue contributed by each, but simply an agreement by which each part would agree not to raise but to maintain a low tariff among ourselves. That was the Chamberlain idea, and he strongly approved it. (Applause).

That is the Chamberlain idea, and he approves strongly of it. Then Mr. Osler, who is president of the Board of Trade, made the following statement:—

Mr. Osler briefly said the resolution might have been different if all the Liberals had been put in one room and the Conservatives in another. (Laughter). There would then have been two presented, one by each party. They took it for granted, however, in framing the motion, that Canada could not fairly ask Great Britain to impose a preferential duty on grain, because we do not supply that. But by the carrying out of the policy proposed, our wheat exports could be increased from 20,000,000 to 200,000,000 bushels, and the cattle exports increased in proportion, the whole market would be so largely increased for our manufactures that they could maintain themselves against the English manufactures in the Canadian market, and do more trade than they do now with a limited market and a high tariff. (Applause)."

Now those are the views of two prominent men in the city of Toronto, one, the president of the Board of Trade and the other, the head of the Imperial Bank. They are leaders among those who are responsible for the maintenance of sound finance upon which the prosperity of commerce and manufacturing depend and upon which the prosperity of the working classes depend. The

president does not advocate the impoverishment of the British market by protective duties even though they should be in our favour. The bankers, I suppose, are in touch with the condition of the commercial interests of the people better than anyone else, and there is an expression from two men that have all along felt—and the Board of Trade themselves have no doubt felt—that the prosperity of the manufacturing and commercial interests of Toronto were depending on the maintenance of protection. In consequence of the internal knowledge that they possess of how far protection is undermining the commercial interests of the people, they have been forced to admit that it is a failure when they compare it with the great results that have been accomplished by the people of Great Britain in the promotion of their trade, the diffusion of that trade, the comforts that it adds to the millions who are engaged in industry not only in England but in all parts of the world in consequence of that trade. I say, hon. gentlemen, that when these men, of intelligence, of responsibility take that position it shows that there is an under-current of feeling going on throughout. Can these forces lead public men who are responsible for our legislation to acknowledge that a change in some direction is absolutely necessary.

Hon. Mr. SCOTT—Did the hon. gentleman read all the proceedings of that meeting? In looking over the report which I have here in my hand, I notice that one of the members of the Board of Trade suggests that the tariff should be reduced to a revenue basis, and that that was voted down. So that the deductions are not as the hon. gentleman said. The resolution which was adopted was this :

Resolved, that in the opinion of the Board of Trade, the advantages to be obtained by a closer union between the various portions of the British Empire are so great as to justify an arrangement, as nearly as possible, of the nature of a *zollverein*, based upon principles of the freest exchange of commodity within the empire, consistent with the tariff requirements incident to the maintenance of the local government of each kingdom, dominion, province or colony, now forming part of the British family of nations.

And then there was an amendment moved to that :

Resolved, that in the opinion of this Board, the freest interchange of commodities within the

empire will tend to national unity and help to develop and increase the prosperity and wealth of the different states forming part of the British Empire, and this board is also of opinion that a union of common interests can be strengthened and advanced by adopting the principle that all duties should be for revenue only as between the different states comprising the British Empire.

That was voted down ; that was moved by Mr. Bertram.

Hon. Mr. BOULTON—Yes ; I read that, but I did not consider that that was pertinent to the argument.

Hon. Mr. SCOTT—That was the whole point. It was a question of how far you would reduce the tariff, and the hon. gentleman is maintaining that the Board of Trade of Toronto is willing to reduce it to a revenue basis, and I have shown the hon. gentleman that they distinctly repudiated any such intention.

Hon. Mr. BOULTON—No ; because they are drawing the distinction between revenue under free trade, and a revenue derived under a tariff on a revenue basis.

Hon. Mr. SCOTT—The words are “for revenue only.” That is a revenue tariff.

Hon. Mr. BOULTON—If you put 10 per cent on the necessities of life, it will produce a certain amount of revenue, but at the same time it is maintaining the principle of protection to the extent of 10 per cent ; it is a protective tariff to the extent of 10 per cent, instead of 30 per cent. That is what a great many people imagine to be a revenue tariff. I am arguing upon a different basis. I say our revenue should be derived on a free trade tariff ; that if you impose any duty, whether 10 or 12 per cent on the industries of life, to that extent you hamper the industry of the country in finding its way into the markets of the world. The people of New South Wales have had what is frequently termed a revenue tariff—that is, an average of about 10 per cent.

Hon. Sir MACKENZIE BOWELL—When ?

Hon. Mr. BOULTON—Up to within the last six months, and since then they have changed their policy and adopted a pure free trade policy, what we understand to be a free trade tariff ; that is, only collec-

ting the revenue from luxuries such as spirits and tobacco and wines and articles of that kind and from which anything like protective duties are eliminated.

Hon. Sir MACKENZIE BOWELL—And land—is that a luxury?

Hon. Mr. DEVER—And house tax and stamp tax?

Hon. Mr. BOULTON—The hon. gentleman says stamp tax. Is it not a great deal better to tax a rich man's cheque than a poor man's flour?

Hon. Mr. DEVER—Supposing you had a poor man's note of hand for \$20 you would have to tax it.

Hon. Mr. BOULTON—If you had free trade you would have no poor man's note for \$20.

Hon. Mr. DEVER—Is there no note of hand in England—are there no poor men there?

Hon. Mr. BOULTON—There is a great deal of wealth there.

Hon. Sir MACKENZIE BOWELL—And more poverty.

Hon. Mr. DEVER—Plenty of poverty.

Hon. Mr. BOULTON—No, there is no more. I am sorry I have not got it here to turn up, but in the *Review of Reviews* of last month, there is direct evidence from a prominent literary man who makes London and the purlieus of London the scenes of his books. This gentleman bears testimony to the prosperity of the poorer classes, and he says the best evidence he has had of that fact is seeing crusts of bread lying about on the streets in the poorer sections of the city that are not picked up. That is the statement of a responsible man and anybody can find it by turning up the *Review of Reviews*.

Hon. Mr. MACDONALD (B.C.)—How many crusts would he see in the course of a day?

Hon. Mr. BOULTON—In the Northwest Territories we have to sell our wheat and every single thing that we possess in the way of marketable stock in

order to hold our own, and many a family has to go with very short crusts in the midst of plenty, because difficulties, engendered by low prices for produce and high prices for machinery, etc., are presented to us by the policy of the country.

Hon. Mr. MACDONALD (B.C.)—You do not see crusts lying about in London streets.

Hon. Mr. BOULTON—This gentleman, who lives in London, says so. You must take his statement for what it is worth.

Hon. Mr. MACDONALD (B.C.)—It is a very poor argument.

Hon. Mr. BOULTON—It is advanced by me in response to the assertion that there is extreme poverty in England. If the hon. gentleman would go to England he would see there is not that poverty that is so popularly described. In order to show further, with regard to this subject, on the same day that the Board of Trade met in Toronto, we find a meeting of the Grand Board of the Patrons of Industry was held, at which the following resolution was moved by J. Lockie Wilson, seconded by T. O. Currie and carried:

That the Grand Board of the Patrons of Industry of Ontario, in council assembled, hail with delight the fact that the principles which we have advocated for several years were set forth in an admirable address delivered recently by that eminent statesman, the Hon. Joseph Chamberlain, Secretary of the Colonies, before the Canada Club, London, England, wherein he advocated the total abolition of protective tariffs between Great Britain and her colonies. These principles have been embodied in a resolution adopted by the grand association, held in the city of Toronto, February, 1893, as follows: "That in accordance with the spirit of clauses 8 and 9 of the Patron platform the government be requested to remove the duties on imports, especially necessities of life, coming from Great Britain, and that a copy of this resolution be forwarded to the Hon. Mr. Chamberlain."

That is from men who are entirely composed of the farming community of the country, and it is an additional support to the idea that is here presented.

Hon. Sir MACKENZIE BOWELL—Who made it a plank in their platform in North Ontario, because two or three cans of Australian mutton were brought in? That is the same Lockie Wilson.

Hon. Mr. BOULTON—That same Lokie Wilson gave you a tremendous shaking up.

Hon. Sir MACKENZIE BOWELL—About 800 of a majority for the government.

Hon. Mr. BOULTON—At the 42 polling places in North Ontario, five towns in that riding supplied the majority of 800, and opposed to the government candidate were a liberal and a patron candidate. Had the vote been joined and the towns who gave that 800 majority voted in accordance with what they ought to have done—that is, the enriching of their rural customers upon whom those towns depend for their prosperity, instead of impoverishing them by protection, they would have reversed that vote. The towns in the heart of our agricultural districts, from the fact that they are supported mainly by the agricultural development in their neighbourhood must be injured by any impoverishment of their farming customers in an agricultural province that produces a surplus. I believe myself that the towns are beginning to realize that more and more, and the same majorities will not be obtained in the general elections in the towns of Canada in support of that commercial policy which the hon. gentleman thinks was so upheld in the North Ontario election. This subject, hon. gentlemen, is a very interesting one, and I have dealt with it before. I do not like to weary the House with too long a discussion of this subject but I would just say, with regard to Japan, there is a country that is opening out. It is popular to say we are going to be ruined by Japanese cheap labour. Japan is a country that requires a great deal which we can supply—it produces a great deal we require. Japan is a country that has no horses, no pasture, and no hay. The natural growth is the bamboo, which is neither pasture for horses nor for cattle. They are going to increase their cavalry by ten thousand and they have to buy horses for that cavalry. Then, they have to buy their hay in order to feed the horses. That shows that they have to depend upon the outside world for their horses and cattle. There are many other articles which we are able to supply to Japan. If we were working under free trade, and under the policy which Mr. Chamberlain advocates—if we were to make

a treaty of friendship and commerce between Canada and Japan, then we might gain very great advantages and be able to supply that country from the North-west Territories and Pacific coast a great deal and add materially to the resources of the country as well as the manufacturing industry in the east. That can only be done by a more liberal commercial policy. It cannot be done under existing conditions, because other countries, New South Wales for instance, which raises horses, has removed all restriction to trade. You will see as a result of that a great extension of trade with China and Japan. We are nearer, and it is more natural for us to trade with them than for New South Wales. If we want to develop that channel of communication and increase our shipping and our trade we must adopt a different policy. If we are going to confine ourselves to Canada for the Canadians and no one else, we are going to remain stationary. When we are attempting to govern a very large country, such as we possess, the burden of it is being felt by the people more and more in consequence of the additional expense and the increased debt placed upon it. Instead of Canada for the Canadians, we want Canadians for Canada, and under good, wise and liberal laws we will make everybody, no matter what part of the world they may come from, who come to Canada a good Canadian. Under free trade we will be able to bring back a large portion of that population to the province of Quebec that has been driven south to the neighbouring republic as well as from other parts of Canada.

Hon. Sir MACKENZIE BOWELL—What would you bring from Japan?

Hon. Mr. BOULTON—Anything they have good to supply us with. They would buy thousands of things from us.

Hon. Sir MACKENZIE BOWELL—Is not the greatest item of export from that country to this, tea?

Hon. Mr. BOULTON—Yes.

Hon. Sir MACKENZIE BOWELL—Very well, that is admitted free of duty in this country.

Hon. Mr. BOULTON—We get most of our tea from India.

Hon. Sir MACKENZIE BOWELL—No.

Hon. Mr. BOULTON—We get a large portion of it from India.

Hon. Sir MACKENZIE BOWELL—It does not matter where it comes from, it is admitted free.

Hon. Mr. BOULTON—The very fact that we import tea free is the best evidence of the benefit of a free trade policy—Japan sends tea to Canada for sale, because it only costs the freight to enter it. Here it meets in competition with tea from India, and the result is that the competitive market for tea is in Canada, not in Japan. Articles that are taxed 30 and 40 per cent are not sent here for sale and we have to send for them where the price asked is naturally higher than if they were forced upon our market for sale in competition with similar articles from other parts of the world, does not that add to the comforts of our population. If you tax tea you do not afford protection to anything else. There is nothing that tea enters into which will enable anyone to increase the price of articles that they possess or manufacture. That is the reason that tea is made an article of revenue under the free trade policy of Great Britain, the only necessary of life that is taxed of any importance. However, I am not speaking of that. If the people of Japan can supply us with three dollars worth of goods that we require where it would be only one dollar under protection we would be getting three times the value of the horses, or hay, or butter, or anything else that we export. That is the principle; we would increase our imports to that extent. It might appear that we were getting the worst of the bargain, but we would be getting really the best of the bargain, and so it is with every line of trade. Singapore is another great port containing only half a million population, and yet it does a greater foreign trade than the whole of Canada. A similar policy would result in immense advantage not only to Canada but to the empire and the world at large. We would be setting an example of a liberal and high principle, and everything that goes to build up morality in nations, instead of the reverse. I am sure that every one must deplore the fearful scenes and murderous crimes that we read of in our daily press. I read to this House a few days ago

some statistics to show that under protection crime increases, while under free trade there is a very material reduction in crime. These are all elements, because protection is a selfish policy and free trade is an unselfish policy, and if it is unselfishness that is the motive power of the nation or individual, to that extent must they imbue all around them with the same immorality. Those are only aids that are helping to make the people of Great Britain not only rich but powerful, enlightened and intelligent. Free trade enables them to distribute their population over the whole world and to convey to every nook and corner of the globe the enlightened principles of civilization. In the same degree our healthy families, that are growing up, will receive the same benefits and will be able to assist in the great work which is yet in store for the world—that is the dissemination of civilization and christianity, and if Canadians can take a share in that, I say all honour to them to do so, but they will never be able to do it if they put a ring fence around their country and say Canada for the Canadians and no one else need apply. That is what I say, after seventeen years' experience—valuable experience, so far as commercial training is concerned—is the effect upon the Canadian people, and it is a strong reason why, when an enlightened policy, such as is now advocated and held out to us by the Colonial Secretary for the consideration of the people of Canada, we should combine together unitedly. As the president of the Board of Trade in Toronto said, if they were to get the Liberals into one room and prepare a resolution, and get the Conservatives into another room and prepare a resolution, they would have totally different views, but from the two, a resolution could be framed which all could adopt. Now is the time for us to express our views. I do not ask the House to say yea or nay to this resolution. I do not want to put the House or the government in that position of responsibility until they have given more consideration to it, but I take the opportunity of representing to the Right Hon. Mr. Chamberlain, so far as I am able to express in the natural channel that offers itself to me in this House, my views in this address.

Hon. Mr. DEVER—I hold in my hands what the hon. gentleman calls a free trade tariff. With the permission of the House I will read a few items to show how free it is

as against even our tariff which is called a protective tariff. I hold in my hand the British tariff of three years ago, when Great Britain raised in the neighbourhood of £98,000,000 sterling composed of the items I will read to you, showing you at once that the tariff of Great Britain if applied to this country would be most objectionable. The first item in the tariff is for spirits, wines and tobacco, amounting to \$233,000,000. The next item is for tea. On that they raise \$20,000,000. In Canada tea is free. On fruit, etc., \$2,000,000. From stamps the revenue derived was \$65,000,000—an item which the hon. gentleman thought so little of. Every man's note and receipt and bill of exchange must be stamped. We had an experience of it in Canada, and every one knows we had no peace in the country until the duty was repealed. We surely do not want to go back to the stamp duties we had at the confederation of the provinces. The next item was income tax which amounted to \$60,000,000. Every man's income, however small was taxed. From the post office the income was \$45,000,000, from the telegraph department \$10,000,000. House, lands and other duties amounted to \$45,000,000—giving a grand total of \$480,000,000.

Hon. Mr. SCOTT—The house duty in England was much less than that.

Hon. Mr. DEVER—In other words, take the tariff in the aggregate, and we find that it is \$13 per head on all the people of Great Britain as against \$6.50 or \$7 in Canada. Where is the free trade country? Surely it cannot be Great Britain, where the tax is \$13 per head against a tax in Canada of only half as great. Even if we raised 40,000,000 the tax would be only \$8 per head in Canada. For my part, I cannot comprehend what the hon. gentleman is driving at. He has repeated his statements so often, and his arguments have been refuted so often, that it is difficult to imagine how anybody in this country could possibly adopt the policy he advocates under our circumstances. I do not believe we could live under such a tariff. I do not believe we could stand a taxation of \$13 per head, and I feel it is almost imposing on the good nature of this Senate and of the country to expect any one would be converted to the doctrine which the hon. gentleman advocates.

Hon. Sir MACKENZIE BOWELL—I understood the hon. gentleman from Shell River to say that, after having had this opportunity of expressing his opinions on what he terms the proposition made by Mr. Chamberlain, he proposed not to press the motion to a vote. I have listened with a good deal of interest to the hon. gentleman's remarks, and I have no doubt that every one in the Senate has listened with equal pleasure. He always advances ideas that are, somewhat in advance of the present trade policy of Canada. I read the speech of the Hon. Joseph Chamberlain with very great pleasure, because, though it goes beyond the propositions which have been made by the parliament of Canada, confirmed by the resolutions adopted unanimously at the Colonial Conference; still, I think with Mr. Chamberlain that the time has not yet arrived when we can adopt a policy involving changes so extensive. Mr. Chamberlain very properly points out in his speech that we are in a different position from the German Zollverein. The German States like the states of the neighbouring republic, are contiguous, while the colonies of the empire are separated by thousands of miles. Though that is the fact, I look upon his speech as a happy omen of what is to come in the future. I believe that the people of the British empire are fully convinced of the necessity of a closer union of the British speaking people in all parts of the world—or in other words, that there should be, as completely as circumstances will permit, a unification of the empire. How that is to be brought about—whether in the way suggested by Mr. Chamberlain or not, is the question. The principle has been affirmed to a certain extent by the parliament of Canada. It was affirmed by the resolution adopted at the Colonial Conference here two years ago. The despatch in reply to these resolutions sent by Lord Ripon was not in a line with the principles laid down by Mr. Chamberlain in his late speech. He takes the ground that it is impossible or nearly so, with the free trade policy of Great Britain as it exists to-day, for all the colonies to throw down the barriers which exist in the way of protection at the present moment—and join with England in a free trade policy pure and simple. Without a differential duty in favour of the colonies—a duty small or large on such articles as we produce and they

consume—the principle of a zollverein and absolute free trade in which we would have no greater advantage than would be given to foreign nations, is one which I do not think the colonies at present, or for some time to come, would accept. If, however, the principle which was adopted in the resolutions which were carried at that conference, giving us a preference in their markets for all the articles that we produce, and we giving them reductions commensurate with the advantages that they give us, then, I say, I shall be proud as a Canadian, and I think the majority of the Canadian people would be prepared, to adopt that policy which I believe would have the effect, as Mr. Chamberlain says, of uniting us in a closer bond of union through the mutual interests which it would create. However, it is not my intention to enter into a discussion of this question further than to say that I do not at all regret that the hon. gentleman has made his speech. We know that on all questions of this kind—I do not say it offensively—he is an extremist, and while he holds conscientiously to his convictions, I believe the time is fast approaching when the extremists on both sides will meet midway and adopt a basis of closer union between the different portions of the British empire than there exists to-day. I shall hail with delight, if it comes within my life, the day when that result is attained. So far, the government of which I am the head are in full unison and accord with the sentiments which I have expressed. I need not enter into the objections which the statesmen of Great Britain would urge, particularly at the present moment, against a policy of that kind. Free trade at present prevails to such an extent in England that it would be just as difficult to move them in the other direction as it was 75 or 100 years ago to move them in the direction of free trade. I am not prepared to deny or confirm the statement that food is so plentiful that you can pick it up in the streets of London; but there is this fact which is incontrovertible, that many of the predictions made by Cobden and those who supported him when he induced the English people to adopt a free trade policy, have proved to be entirely fallacious.

Hon. Mr. BOULTON—No.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman laughs. I have the statistics

by which I can show that nearly all the predictions have failed. As an illustration, Cobden laid down the principle that the freight rates between England and America would be always so high as to afford a protection to the wheat growers and agriculturists in Great Britain. What are the facts to-day? We all know that the freight rates have been reduced upon wheat on very many occasions, to two or three cents per bushel instead of the high rates which prevailed when free trade was suggested and adopted in England. However, that is only one point to which I call attention, and I accept the hon. gentleman's proposition to withdraw the motion.

Hon. Mr. MACDONALD (B.C.)—I am not going to make a speech on the trade question to-day; I made one a short time ago. However, I read an able article in an English magazine a few days ago saying that if the government of England did not protect their manufacturers, they would advise the people of the country to form an association to boycott all foreign goods; that the manufacturers and merchants were being ruined by foreign goods and therefore they advised that no one should buy foreign goods, showing how keenly they felt foreign competition, and how the trade is being ruined by foreigners. The hon. gentleman made a trade speech the other day and I replied to him. I took a period of ten years under the revenue tariff, and I took a period of ten years under the quasi protective tariff as we have it now, and I showed him that in those ten years we had gained in trade \$364,000,000; and yet he persists in crying down the trade of the country and in doing everything to show in what a wretched position we are, when the facts actually contradict what he says. I showed clearly and fairly that in those ten years under the present system we gained greatly in trade.

Hon. Mr. BOULTON—Have not our exports and imports fallen off in the past year?

Hon. Mr. MACDONALD (B.C.)—You cannot take one year and judge of the results of trade. I took ten years and I showed that enormous gain. Supposing the hon. gentleman to-morrow, in his own line, could get farming implements in free of duty, and supposing he paid on his farm

a direct land tax of two or three hundred dollars, what gain would it be to him if saved in getting his farm machinery he paid double the amount in taxes? Where would his gain be? And that is the case in England to-day. The taxation under the free trade system is double what it is in Canada, and the people of England get no benefit from their free trade policy because they pay about \$13 per head compared with our \$6.50. Where is the benefit? Not only that, but as I have told the hon. gentleman their trade is being ruined—the iron trade especially is being ruined by foreign competition and by free trade. England does not pursue a policy of free trade as a matter of magnanimity or liberality. They think it is the best policy for the country, and at one time it might have been, when Germany and France did not manufacture and did not compete with England. Now she is competing with all those countries and she cannot afford to do it on free trade lines, and the eyes of the people are being opened. Day by day they are beginning to see that they are in a false position. With regard to Mr. Chamberlain's proposition, he made no offer. He merely made a speech after dinner indicating certain lines of policy between the colonies and the mother country, and intimating that protection must be entirely done away with. That means that England, and this country, or any other colony, should have a revenue tariff only. Now, with the English market open to us what benefit could we receive unless we get preferential trade in England, without which no new system would help us? Take the West Indies; if they cannot get protection against foreign beet sugar in the British market, what benefit would a zollverein be to them? And if Canada cannot get protection for her cattle, wheat and dairy products, what benefit would she get from any zollverein? None whatever. Why should the colonies join when there is no benefit in their doing so? There is a great deal to be done in educating the people on this subject, and I should prefer to let England move in the matter first. The colonies would always fall in if they could see any benefit to themselves in doing so; but the difficulty is to move the English people from free trade, and a great deal has to be done in the way of convincing that country before they depart from their present position.

Hon. Mr. McCLELAN—I have listened on several occasions to the speeches of my hon. friend from Shell River. They are generally exhaustive, and he says very much that is in accord with my ideas. I have not listened to the hon. gentleman so long and so often on the policy of free trade as I have my hon. friend from British Columbia in the advocacy of the opposite policy, which I think is a most unfortunate system for this country, but that is not the question exactly before the House to-day. My hon. friend from Shell River has brought up this question, founded upon the speech of the Right Hon. Joseph Chamberlain delivered before the Canada Club in London. I have read that speech and have been much pleased with the sentiments therein put forward. It was not an offer, and it was not laying down a policy. It was an after-dinner speech, expressive of the views of the speaker only, and not in any way indicating a settled policy. At the same time, his speech, while tentative, is very suggestive, and certainly indicates that there is a very much enlarged and broader view being taken of colonial questions by British statesmen. The speech of the Premier to-day, the discussions of the Boards of Trade, the recent expressions of the Patrons, a growing organization in the west—all following the consultations of the Colonial Conference of 1894—very naturally impress the First Minister with the belief that there is a growing sentiment in favour of binding together all the dependencies of the British Empire with the mother country by closer trade relations. The right hon. gentleman to whom I have alluded spoke about the advisability of moving upon lines of the least resistance. He spoke of the long established policy of Great Britain, and I differ entirely from the remarks of my hon. friend from British Columbia with regard to the result of that. Every one who reads history knows of the distress and difficulties under which the English people laboured before Bright and Cobden introduced their policy, and everyone knows the present extent of England's greatness and wealth, the banker for all nations of the earth. We all know of her supremacy upon the seas, her foreign trade, her colonial possessions. A good deal has been said in the way of decrying the motherland; a good deal has been said, too, by the same individuals about their loyalty. A very

good expression has been given with regard to that, I am not sure whether by the Right Hon. Mr. Chamberlain or in the despatch of Lord Ripon in reply to the action of the Colonial Conference, the observation was to this effect, that sentiments of loyalty are very good, expressions of assistance when the war cloud is hanging over the Empire, are very useful and pleasant, but to make them permanent, there should be a more reciprocal trade, closer intercourse, a more uniform fiscal policy. We all know that on all sides of politics in the motherland, there is little disposition to abandon the principle of free trade. No responsible statesman in England thinks of departing from that policy. In the Australian colonies, New South Wales has adopted the freest possible kind of trade, and some other of the Australian colonies are reducing their duties and are endeavouring, as far as possible, to draw towards the line of policy of the motherland. Even here we do not hear quite so much as formerly about high protective duties, the result of which is to make a man pay three dollars for every one that goes into the revenue. If an arrangement could be made by which the colonial government could be united more firmly with the motherland, there is a tendency to modify to a large extent existing tariffs. I am rather glad that this discussion has come up to-day. It is too late now, and the House is too thin, to have as full a discussion as there ought to be on this topic. I think it is a very important one, and I am satisfied that we are only doing our duty, under the circumstances, in giving expression to our opinions on the question, and the more it is discussed in a temperate and moderate way, the more likely are we to realize the aspiration which Mr. Chamberlain expressed at the Canada Club; and if we cannot get what I believe to be the right policy, a perfectly free trade policy throughout the colonial dependencies as it exists in England—because I believe that would be the very best sort of policy for our interests,—we may at least get, as Mr. Chamberlain suggests, a plan by which the colonies of England may be united upon a system of revenue tariff which would be of great advantage to the motherland and, as he puts it, would tend to increase our trade and population, and in many ways be productive of much benefit to each and all of the colonies. I am satisfied that good

will result from the expressions which have been given in London, as well as on this side of the water, in the working out of results of great mutual advantage.

Hon. Mr. BOULTON—I desire to make one or two remarks in reply to what has been said. The hon. member from St. John has misunderstood the British revenue; the principle of taxation there is to relieve the industry of the country from taxation and tax profits and wealth. The hon. gentleman from Victoria spoke in a way that showed me that he was not acquainted with the commercial life of the country or the principles of trade when he said that the fact of a farmer in the North-west having to pay \$30 more for his machine was a mere nothing. That is not the way to approach a question of this kind. We send out from the North-west \$10,000,000 worth of produce in the shape of cattle, wheat, grain, &c. The return for that comes back altogether in the necessities of life. The cost of those necessities of life is increased to the people of the North-west and for the matter of that to the people of Canada by the amount of duty that is imposed at the seaports of Canada and the protection or I might say overcharge that is afforded by the imposition of that duty which amounts to about 25 per cent, is in reality, a charge on labour. The \$10,000,000 worth of the product of the labour of the people of the North-west instead of getting back \$10,000,000 in kind, they only get back \$7,500,000 in kind. It is the aggregate cost to the industry of the country and not the specification of one single article of machinery increased in price by \$30 that undermines the prosperity. Then he speaks of the English market being open to us. I would desire to point this out to the hon. gentleman, that the exclusion of any nation from such a valuable market as the free trade market of Great Britain offers or that the British empire would offer under that policy advocated by Mr. Chamberlain is a far greater lever for the reduction of duties, and for liberal treatment on the part of foreign nations than any protective policy that we can raise against it. It is not protection that foreign nations mind, it is the fear of discrimination. The free trade market becomes so valuable and so advantageous as a market to sell in, that no nation can afford to be closed out of it upon a preferential basis. Notwithstanding what the Premier says about

Cobden's anticipations about freight rates affording protection, and their great reduction, he cannot ignore the fact that there is a great difference between the price of agricultural products in Great Britain and Canada to the benefit of the British farmer and he gets his coal oil for nine cents a gallon and all his necessities proportionately low. The hon. leader of the government has expressed himself cautiously, but I would just hold out a warning voice to him and let him understand when the Board of Trade of Toronto, a city with a population of nearly 200,000 people, in the heart of the province of Ontario, and the Patrons of Industry, who represent the agricultural community—that when these two bodies express their views as they have done, they know the pulse of the country and that to a large extent they express the feeling of the bulk of the manufacturing industries, the commercial interests and the agricultural interests in the province of Ontario, and it does not do to close your eyes and ears to these facts. With the permission of the House and apologizing for occupying so much time, I beg to withdraw my resolution.

Hon. Mr. FERGUSON (P.E.I.)—I do not intend to detain the House very long, only for a very few minutes, I did not intend to speak at all, only the turn the discussion has taken within the last few minutes. All the hon. gentlemen who have spoken agree on this point, that Mr. Chamberlain's recent speech indicates a very remarkable and a very salutary change of sentiment on the part of at least a very considerable proportion of the public men of Great Britain on this question of preferential trade. When parties in Canada, within the last half a dozen or more years, have pointed out the desirability of a system of preferential trade between the different component parts of the British Empire, we were always met, not with the statement that it would not be a good thing for Canada if some such arrangement as that could be effected, but that it would not be a good thing for England, and that Great Britain would never consent to it. There have been indications for a good while past that the people of Great Britain are not so fixed on free trade principles but that they would be prepared to advance at least a step, and perhaps a rather important one, to meet the colonies with a view to establishing, to some extent, free trade or revenue tariffs within the

empire, and protection against the rest of the world. The speech of the Hon. Mr. Chamberlain is the most remarkable indication of the growth of that feeling in Great Britain that we have had yet, and coming from a man who is so prominent and such a great leader of public opinion in Great Britain, his recent speech is entitled to a great deal of consideration. I am glad that it is receiving such consideration from our Boards of Trade and from both branches of the parliament of Canada. My hon. friend from Albert said a few minutes ago that there was no disposition or thought on the part of the people of Great Britain to depart in any way from the principles of free trade.

Hon. Mr. McCLELAN—Statesmen I said. I spoke of the leading statesmen.

Hon. Mr. FERGUSON—As far as that is concerned, if I understand the speech of Mr. Chamberlain—and he cannot be excluded from the ranks of leading statesmen—it is, as far as he is concerned, an indication that he himself is prepared to make a departure and a very important departure from the principles of free trade. Here is one thing that he said which I think fully bears out my language:

I do not say that merely because a proposal of this kind is contrary to free trade principle because I think I am myself a convinced free trader in the sense of believing that the theory is undoubtedly the theory on which the world would become most prosperous yet I have not such a pedantic admiration for it that, if sufficient advantage were offered to me, I would not consider a deviation from the strict doctrine.

That is exactly the position that we have been occupying in Canada. We all admit that if all the world would adopt free trade probably all the world would be the better of it, but as all the world would not adopt it, we have long since come to the conclusion that in Canada at least the deviation from the principle of free trade was of advantage to us. That is just the conclusion that Mr. Chamberlain expresses when he says that he was prepared to consider a deviation from the strict doctrine if he got a quid pro quo. Mr. Cobden himself, he said, took this view in making the French treaty. Then he proceeds:

And it cannot be considered that we his disciples should be more orthodox than the apostle of free trade himself.

Now, what is Mr. Chamberlain's proposition? It was no more than an opinion expressed by him, I daresay, and he explained that he spoke for himself; but when a man of his prominence speaks at all it is of importance. He discusses two or three propositions which have been before the British public for many years with reference to this question of inter-imperial trade and he says:

I have laid down four propositions which I think cannot be controverted. The first is that there is a universal desire among the members of the empire for a closer union between the several branches, and that in our opinion as well as yours, this is desirable, nay, it is essential for the existence of the empire as such. My second proposition is that experience has taught us that this closer union can be most hopefully approached in the first instance from the commercial side. My third proposition is that the suggestions which have hitherto been made to us, although we know them to have been made in good part, are, when considered from the point of view of British interests not sufficiently favourable to be considered by this country. My fourth proposition is that a true *zollverein* for the empire, that a free trade established throughout the empire, although it would involve the imposition of duties against foreign countries and would be in that respect a derogation from the high principles of free trade and from the practice of the United Kingdom up to the present time, would still be a proper subject for discussion.

So my hon. friend from Albert must qualify his remarks when he finds that Mr. Chamberlain himself, whose utterances we had been discussing this afternoon, has declared that a deviation from the principles of free trade in this respect is a proper subject for discussion, and he goes on and points out what a great advantage it would be to the colonies, because they were to get a preference in the British market for their products, the advantage of which would be enormous to them. He is not very sanguine about it. He throws it out as a broad principle for discussion, and he knows there are a great many difficulties in the way. I think my hon. friend from Shell River did very well to bring it up before us, because it will impress more clearly on our minds what this proposition really involves. To my mind, it means protection against the rest of the world. If Britain adopted Mr. Chamberlain's idea, it would be imposing a tariff against all foreign countries, and having free trade between the different component parts of the Empire. He very distinctly expresses his opinion that the trade in the empire must be upon the basis of a revenue tariff, and so far he adheres to

the principle of free trade within the empire himself, but as against the rest of the world, Great Britain and her colonies were to become protective.

Hon. Mr. McCLELAN—I did not understand it that way.

Hon. Mr. FERGUSON—I have taken the pains to read it over again since this discussion began, and very carefully, too.

Hon. Mr. McCLELAN—You should have read the whole of it.

Hon. Mr. FERGUSON—I have done so, and I think that is the correct interpretation. I must congratulate this hon. House and the country upon the improved feeling which is prevalent in the discussion of these questions from what prevailed in the country not many years ago. My hon. friend from Albert, I am glad to find, realizes the great importance of drawing the the empire closely together by the adoption of closer trade relations between the different parts of it. He appreciates the importance of that. I am glad to hear that these are his views to-day, for I think not many years ago he was an advocate of a commercial union of a very different kind, a commercial union which was to bind us to the United States of America, and which did not provide, as Mr. Chamberlain's scheme intends to provide, merely a small duty for preferences against all the rest of the world. But it involves what was then practically the McKinley tariff against Great Britain and against all the colonies of Great Britain and against all the rest of the world. I think we have on this side of the House great reasons to congratulate ourselves and the country on the great improvement that has taken place in the views generally entertained in regard to the trade of the Dominion and the Empire, and in the mind of my hon. friend from Albert in particular since these days when we had a commercial union, or a *zollverein* with the United States, put forward as the greatest good that could possibly befall Canada. My hon. friend says that we do not hear so much about protection now as we did some time ago. Probably we do not. It is not necessary to speak of protection and to urge it as strongly as we were forced to do when the fiscal independence of this country was threatened so seriously as it was threatened by the

gentlemen who advocated unrestricted reciprocity and commercial union. The people of this country still believe in the principle of protection as applied to Canada, and that they would only be willing to part with that on condition of receiving an equivalent for it, which might be got—I believe could be got in a Zollverein of the British Empire, and if that would come, I believe it would be strictly in line with the views we have always been advocating on this side of the House. I did not intend to discuss this question as far as I have done, but my hon. friend from Albert, while drifting away, as he is doing, imperceptibly (for he still thinks he is a free trader as of old) from the doctrines of free trade to favour Mr. Chamberlain's proposition—but perhaps he does not intend to favour it as he does not appear to understand it exactly as I do—he asks us to bear in mind that everybody in England was benefited by the adoption of free trade when it was introduced in the days of Cobden and Bright, and that labour and everything increased in value. With regard to that we must bear this fact in mind, and my hon. friend, I hope, has not forgotten it, that land has not increased in value under the influence of free trade in England. On the contrary, the value of land has decreased enormously—alarmingly decreased, and will still continue to decrease unless some advantage is given the farmers, and I do think that the proposition which the right hon. Mr. Chamberlain has made for a preferential duty as against the rest of the world, and in favour of the colonies, would certainly benefit the colonies, and to some extent, assist the land owners in England, because it would prevent the intense competition which prevails to-day from the enormous importations of wheat and other agricultural products from Russia, Argentina, and other parts of the world outside of the Empire.

Hon. Mr. SCOTT—Up to the time when the hon. gentleman from Prince Edward Island rose to speak, this debate had been conducted on lines of the most perfect harmony, and every one had expressed the hope that the lines would be drawn more closely between the different parts of the Empire. It has fallen on the hon. gentleman to mar the harmony of the debate by throwing out insinuations which are as unjust as they are unwarranted. The commercial union policy which he attributes to my hon.

friend from Albert was never advocated by him to the extent which he describes, and it has never been the policy of the leading Liberals. The hon. gentleman, in addition to that, has drawn deductions from Mr. Chamberlain's speech which certainly many other gentlemen who have read it do not consider the language warrants. In another part of this speech, later on, Mr. Chamberlain distinctly says that the imposition of any preferential tax would be too much for the British artisan to bear. He says:

It would involve, in the case of the United Kingdom, a most serious disturbance of our trade; it would be a great change in the principles which for many years past have guided our commercial policy. It involves the imposition of a duty, it may be a small one, but it is a duty, upon food and upon raw material, and whatever may be the result of imposing such a duty, as to which, if I had the time, I could discourse for many minutes—whatever may be the actual result—the tendency is to increase the cost of living, which would of course increase the pressure upon the working classes of this country—to increase the cost of living and to increase the pressure upon the working classes of this country. That cannot be denied, and it would have a tendency to increase the cost of production, which would put us, of course, in a worse position than now in competition with foreign countries in mutual markets.

I know the hon. gentleman has read many pleasant things from Mr. Chamberlain's after dinner speech. I think I can establish that Mr. Chamberlain had not in his mind the idea of giving the colonies a preference in the British markets.

Hon. Mr. FERGUSON (P.E.I.)—What the hon. gentleman is quoting is Mr. Chamberlain's reply to Mr. McNeill's proposition and the old proposition of imperial federation.

Hon. Mr. SCOTT—Any man who is familiar with the condition of things just now in Great Britain must see that not a single statesman could be found to rise in the British House of Commons and urge the adoption of a preference in favour of the products of any one of the colonies, more particularly the food products. What does it mean? Take wheat alone; the colonies furnish less than one-seventh of the supply imported into the United Kingdom. Do you mean to tell me that for the sake of developing that one-seventh, which would take 20 years to bring it up to the proper amount,

the artisan is to be taxed on his flour? Take another article—butter. The amount imported last year into the United Kingdom was \$13,000,000, of which Canada supplied only \$153,000 worth. Denmark supplied \$6,000,000 worth. Do you mean to tell me that they would consent to put up a tariff against Denmark? So it is with every article in the category. Anyone who is familiar with the politics of Great Britain would never urge that the 39,000,000 people in the British Isles should be taxed for the benefit of the colonists.

Hon. Mr. FERGUSON (P.E.I.)—That is exactly what Mr. Chamberlain proposes.

Hon. Mr. SCOTT—It was an after dinner speech, and he said many pleasant things, but he took good care to protect himself by other remarks, showing clearly that it was not part of his policy. The leaders on both sides take every occasion to state its absolute impossibility. The population of England has been gradually diverted from agriculture and has become a population of artisans. In Napoleon's time they were considered a nation of merchants; now they are a nation of artisans. England's trade, as everyone knows, has been growing with gigantic strides. Even as against the United States would they propose to put up a tariff against a country which furnishes them with forty-six million hundred weight of wheat alone? Nearly half of all the wheat and flour imported into the United Kingdom comes from the United States, and the United States is the best customer of Great Britain. Do you suppose they are fools enough to put up a tariff against the United States and incur the displeasure of that nation for the purpose of developing a trade which will take twenty years steady growth in that direction to furnish her with the supplies which she needs! I am very glad to concur with the premier in believing that debates of this kind do good. I remember the time when the party, to which Mr. Chamberlain belongs, believed that the colonies were a burden to the empire. It is not 40 years since they desired that the colonies should be cut adrift. Fortunately, in the colonies both political parties have always clung to the idea of a closer union with the empire. As things developed Great Britain adopted free trade, and we adopted revenue or protective tariffs, as the

case might be, and so we parted in reference to trade questions and we are now very far apart in that line. I do not expect though I certainly desire, to see the day when free trade will prevail throughout the empire. I recognize the fact that it is at present unattainable. Although I am a free trader I do not expect to see free trade adopted in my lifetime in Canada. It takes a long time to educate people to change their ideas in that way. As it is now six o'clock, I do not propose to detain the house longer. I desired to say a word on the subject as I felt that my hon. friend from Prince Edward Island had placed us in a false position, on several points which I wished to correct.

The motion was withdrawn.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, 15th April, 1896.

The SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

POLLING DISTRICTS IN BRITISH COLUMBIA.

INQUIRY.

Hon. Mr. McINNES (B.C.) rose to ask the First Minister—

Is it the intention of the government at the approaching general election, to change in any way the polling districts in the Electoral District of Victoria, or the polling districts in any of the British Columbia electoral districts?

He said: I have asked this question in consequence of an impression that prevails in Victoria and throughout the other districts of the province that it is the intention of the government to change the polling divisions in the different electoral districts of that province. I have looked into the law and I cannot see how the government can, without amending the Act, interfere with them. At the by-election which took place in Victoria last January, some of the polling districts were altogether too large—two of them in particular. One was exceed-

ingly large. I forget exactly the number of votes polled there, but I know the polling booth was jammed from the moment it was opened until it was closed, and a great deal of inconvenience was caused and I think some were unable to record their votes. However, as far as the other polling divisions are concerned in the other electoral districts throughout the province, they ought to stand as they are at the present time. I should like to hear what the intention of the government is with respect to this matter.

Hon. Sir MACKENZIE BOWELL—I can inform the hon. gentleman that there is no intention on the part of the government to introduce any bill changing, or in any way affecting the electoral districts of British Columbia. There is a difference, however, between the electoral district, which means the whole riding, and a polling district. It has been brought to the notice of the government that at the recent by-election in Victoria at which the Hon. Mr. Prior was elected, there was one district so very large that the number of voters ranged between 1,000 and 1,100, as I have been informed, and it was utterly impossible for them to be polled during the time given for the recording of the votes. If any change is made at all it will be in the polling division and not in the electoral district. According to a calculation which I made at the time, you would require to poll between two and three votes every minute to poll all the votes in the division. We all know that that is impossible. The result is, the scrutineers try to get in their own voters first. Those who have had any experience in polling districts and have acted as scrutineers and I dare say many hon. gentlemen have—I know I have—are aware that scrutineers will take advantage of that in order to prevent the votes being polled.

Hon. Mr. McINNES (B.C.)—We never do that in British Columbia.

Hon. Sir MACKENZIE BOWELL—I dare say that were it confined to the natives of that country the hon. gentleman's remarks would be quite correct, but we know that it is inhabited largely by people from the eastern provinces, principally from the maritime provinces, many of them I believe from Cape Breton, and we are not surprised at anything they might do (legitimately) to elect members

to the parliament in Canada. I may have the honour perhaps to-morrow, or the next day, of introducing a short bill for the purpose of remedying—I was going to say a defect in the law, I scarcely know whether it is a defect or the result of want of proper knowledge of his duties by the revising officer in dividing the districts.

Hon. Mr. SCOTT—It is the revising officer's duty.

Hon. Sir MACKENZIE BOWELL—That not having been done, and his duties having ceased, they would be in precisely the same position in the next election that they were in the last one. It is rather an unusual practice, I believe, to initiate such legislation here, but under the present circumstances, knowing the state of legislation in the House of Commons, and it not being unconstitutional, the government will take advantage of the facilities that are offered by passing a remedial bill of that character through the Senate, and I have not the slightest doubt, knowing the character of the Senators, that they will not obstruct it in any way.

THE REMEDIAL BILL.

MOTION RULED OUT OF ORDER.

The notice of motion being read,

That the Remedial Bill now under consideration by parliament is unconstitutional; that clause 23 of the Remedial Bill requires the municipalities to levy and collect \$20 a month from all their Roman Catholic ratepayers for the support of each separate school, and clause 39 of the Manitoba Act, which has been declared constitutional, requires municipalities to levy and collect twenty dollars a month for the support of each public school from all the ratepayers of the municipality, and the exercise of this double authority would prove oppressive to the Roman Catholic minority in the matter of taxation.

That it is evident that the framers of the Act of Confederation did not design, by the insertion of the appeal clauses in the British North America Act, that there should be such an invasion of the constitutional right of the provinces, as is contemplated by section 28 of the Remedial Bill forbidding the municipality to levy upon Roman Catholic ratepayers for the support of public schools; therefore the remedy for the grievances of the Roman Catholic minority in Manitoba, now the subject of appeal, should be applied by some other means than by this Remedial Bill, and in the interest of constitutional legislation it is the opinion of the Senate it should be withdrawn.

Hon. Mr. BOULTON—Stand?

Hon. Mr. MILLER—I do not think that this motion ought to be allowed to remain on the minutes. It is clearly irregular. It is the rule in this House that no motion can have a preamble. Now, three-fourths of that motion is a preamble, and although the word “whereas” is not attached to the different allegations of fact which the resolution contains, these recitals are nevertheless as much a preamble as if that word was inserted before them. Therefore, on that account, this motion is clearly out of order. But it is out of order on another ground. It is unparliamentary to anticipate discussion on a bill before parliament, even if it were in the custody of this House. It is also incorrect in its statement of facts. The bill is not before the whole Parliament. It is before the House of Commons, but not before this branch of parliament. Even if the bill were before us, such a resolution as this would be out of order; but what would be the consequence of passing a resolution of this kind? In the first place, if we passed it we would have dealt with the subject matter of the bill in the House of Commons, and we would be precluded from dealing a second time with that subject when the bill would come up. This resolution, if adopted, would be virtually giving the bill a six months hoist in this House before it ever came to us. The resolution of the hon. gentleman is not only unique but is grotesque in its absurdity. I think the Speaker should order it to be struck from the minutes if it is not dropped.

Hon. Mr. BOULTON—I am not one of those who ever desires to transgress the rules of the House. It is only by experiences of this kind that I can really find out what the rules of the House are, and I understood there was no preamble to the motion. I always supposed a preamble required the word “whereas,” and that if there is no “whereas” there is no preamble, but, hon. gentlemen, the fact of the matter is that parliament has been called here for the purpose of passing remedial legislation.

Hon. Mr. MILLER—Your motion would be a good one on the second reading of the bill.

Hon. Mr. BOULTON—We have been here for four months waiting for the consideration of that legislation. We have not

had an opportunity to express what the policy of the Senate is upon a great question of this kind. It is a constitutional question of great importance.

Hon. Mr. CLEMOW—How can you do it until the bill is before the House?

Hon. Mr. BOULTON—The bill has been distributed to us and has been laid on our table in its entirety. It has not come up as amended from the House of Commons, but it has certainly been presented to us as a measure that is to come before us and we have been waiting here, and now it seems to me as if it was going to slip away and we were not going to have a chance to discuss it. I thought it was a very great pity indeed that the Senate should not have an opportunity of expressing its opinion upon the subject-matter of the bill. Although it has not come down to us in its official form, the government are trying to pass it, and I did try, at the commencement of the session, to express my views upon this knotty question, but I was interrupted and requested to postpone any observations that I had to make until the bill was before the House. I see very plainly that the bill is not likely to come before us and, therefore, I desire to bring this matter up in the Senate. Of course, I can withdraw my resolutions as they stand to-day and put them in some form that requires no preamble and arrive at exactly the same result.

Hon. Sir MACKENZIE BOWELL—That is striking it off the minutes.

Hon. Mr. BOULTON—Yes, this particular one and introducing it in a proper form, so that it can be discussed.

Hon. Mr. MILLER—You will find it difficult to do that.

Hon. Mr. BOULTON—Oh, no, I think I will be quite in order to say

That it is evident the framers of the Act of Confederation did not design, by the insertion of the appeal clauses in the British North America Act, that there should be such an invasion of the constitutional right of the provinces, as is contemplated by section 28 of the Remedial Bill.

I think that will be in order. However, if I am out of order with regard to this particular motion I shall withdraw it and consider how far it is advisable for me

to introduce another motion at this late hour of the session.

The motion was dropped.

BAY OF QUINTE RAILWAY COMPANY'S BILL.

THIRD READING.

The Order of the Day having been called :

Third reading (Bill 71) an Act to provide for the amalgamation of the Bay of Quinté Railway and Navigation Company and the Kingston, Napanee and Western Railway Company, under the name of the Bay of Quinté Railway Company, as amended.

Hon. Mr. CLEMON moved that the bill be not read the third time, but that it be amended by leaving out the words "as fully and as amply as they apply to the main line" in clause six, twelfth and thirteenth lines.

Hon. Mr. DICKEY—Will the hon. gentleman kindly explain why he requires the words struck out?

Hon. Mr. CLEMON—Because they are now provided for under the Railway Act, and consequently these words are unnecessary. The Railway Act provides how these extensions are made, both on the main and other lines.

The motion was agreed to.

Hon. Mr. CLEMON moved the third reading of the bill as amended.

The motion was agreed to, and the bill was read the third time and passed.

FISHERIES ACT AMENDMENT BILL.

SECOND READING POSTPONED.

Hon. Mr. FERGUSON moved the second reading of Bill (O) "An Act further to amend the Fisheries Act."

He said:—In rising to move the second reading of this bill, I may explain that the proposed change involves simply four or five lines altogether. Hon. gentlemen, no doubt, have the bill in their hands, and the words that it is proposed to substitute are the last five lines, and read :

Provided always that licenses may be granted by the Minister of Marine and Fisheries, for the capture of salmon by set nets only, in such rivers or portions of rivers as are fixed, and under such regulations as are prescribed, by the Governor in Council.

Before confederation the riparian owners, the owners of the land on which non-tidal waters flowed, were conceded a right to fish by angling or setting nets. That was a right or privilege which was freely exercised. Shortly after Confederation, the policy adopted by the Dominion Government was to lease these fisheries, and in pursuance of that policy leases were granted to companies, or clubs, or persons for the purpose of carrying on these fisheries in the non-tidal waters. The Fisheries Act provided that the Minister of Marine and Fisheries should distinguish between the non-navigable or upper waters of the river and the estuary waters below, and it was in the non-navigable waters that this was carried on. During many years after Confederation the Minister of Marine and Fisheries granted licenses, or leases, of these fisheries, and regulations were placed and adopted, restricting the owner of fishing right to surface fly fishing instead of netting and other modes of fishing practised before that time. The result of it was to shut out the owners of the soil from fishing altogether. They could it is true, have carried on fishing by surface angling as it is called, but farmers generally were not in a position to do so. Being shut out from fishing in their own rivers, a very strong and bitter feeling grew up in the parts of the country where these privileges had existed, the residents of the place being practically shut out of any right to fish at all, because these licenses extended over the non-tidal waters where they possessed the riparian ownership. In New Brunswick very serious difficulties and in at least one case, loss of life occurred in troubles arising from these leases. The result was that in 1882, a suit went to the Exchequer Court and subsequently to the Supreme Court of Canada which tested the right of the Federal Government to give these leases. It was decided that the Federal Government could not give leases conferring the right to any one to fish except those who had, under the law, the exclusive right to fish in these waters. I had better read the decision. It is as follows:—

Held, (affirming the judgment of the Exchequer Court) 1st, that the general power of regulating and protecting the Fisheries, under the British North America Act, 1867, section 91, is in the Parliament of Canada, but that the license granted by the Minister of Marine and Fisheries of the *locus in quo* was void because the said Act only authorizes the granting of leases "where the exclusive right of fishing does not already exist by

law," and in this case the exclusive right of fishing belonged to the owners of the land through which that portion of the Miarmichi River flows.

2nd. That although the public may have in a river, such as the one in question, an easement of right to float rafts or logs down, and a right of passage up and down in Canada, &c., wherever the water is sufficiently high to be used, such right is not inconsistent with an exclusive right of fishing or with the right of the owners of property opposite their respective lands *ad medium filum aquae*.

3rd. That the rights of fishing in a river, such as is that part of the Miramichi from Price's Bend to its source, are an incident to the grant of the land through which such river flows, and where such grants have been made there is no authority given by the British North America Act, 1867, to grant a right to fish, and the Dominion Parliament has no right to give such authority.

4th. Per Ritchie, C. J., and Strong, Fournier and Henry, J. J., (reversing the judgment of the Exchequer Court on the 8th question submitted) that the ungranted lands in the province of New Brunswick being in the Crown for the benefit of the people of New Brunswick, the exclusive right to fish follows as an incident, and is in the Crown as trustee for the benefit of the people of the province, and therefore a license by the Minister of Marine and Fisheries to fish in streams running through provincial property would be illegal.

This decision made it clear that the exclusive right to fish in these non-tidal waters rested with the riparian owners, and that where the lands were ungranted by the Crown, this riparian ownership rested with the local government of the province. These points having been settled in that way, and the courts having settled further, what was a matter of dispute, that the Department of Marine and Fisheries, under the Fisheries Act, had the right to regulate and control the fisheries and prescribe regulations as to the manner of fishing, such regulations have ever since been maintained under the Act, forbidding the netting of fish in these streams and permitting the catching of fish in these non-tidal waters by angling only. The effect of this has been to give rise to a great deal of dissatisfaction in the localities in which these rivers exist. The riparian owners, who have, under the law, the exclusive right to fish in these waters, are themselves prevented from catching fish except by the process of angling, although no other persons can fish in any way in those waters. The bill proposes to make one change and that is, under certain restrictions and regulations, to give the Minister of Marine and Fisheries, or the Governor General in Council, power to grant licenses or permission for the riparian owners, those

who possess already the exclusive right to fish in these waters, to net for fish under proper regulations. This will, I daresay, be opposed by companies or individuals who have acquired riparian interests also. The owners of these lands in some cases have sold the right, and the province may have sold the right to very considerable stretches of these rivers to companies who are carrying on fishing for sport or other purposes, and the objection will come from those quarters that giving the settlers a right to catch fish by nets will decrease the value of the fisheries to those who have acquired rights either under the Provincial Government or by purchase from private individuals. I feel that, while there is a good deal of force in that, we have a right to consider the interests of the settlers in this matter. From the early settlement of the country these people, up to Confederation, had a right, which they practised, of netting for fish in their own waters, the waters which they are now declared by law to have an exclusive right to fish in. That has been gradually taken away from them. The privilege still remains, of course, to catch salmon or trout by angling in these waters, but we know that the settlers have not the leisure which is necessary for fishing in that way and that very few of them can take advantage of it. By giving this power to the Minister of Marine and Fisheries to grant licenses in that way they will be recovering an ancient right which they possessed, a right which was in the first place taken away from them by the department under a misconception of the law, and which has been taken away from them subsequently by legislation and regulation. I think this House will see there is a great deal of force in the contention which these people set forth that they should be permitted to fish, under strict regulations and not at their own sweet will, and only with nets such as shall be permitted and at such seasons as shall be prescribed by the department. The bill provides that the rights shall be restored to these people to fish in their own waters under strict regulations, such as the wisdom of the department may find necessary to prevent over-fishing in these waters, and to prevent any sensible injury being done to the property and rights of these other parties who have rights in those fishing waters.

Hon. Mr. McCALLUM—Are those licen-

ses that have been spoken of, granted above tidal water?

Hon. Mr. FERGUSON—Above tidal water.

Hon. Mr. McCALLUM—Has this government the right to grant them? Would it not rest with the province through which the waters run? At tide water it is right enough that the Federal Government should grant the licenses. I have every confidence in the Minister of Marine and Fisheries, and it would take a good deal to make me believe that he would injure the fisheries of this country, but at the same time we should move cautiously in this matter and should not undertake to do what we have no right to do. I have known the Minister of Marine and Fisheries for a long time and I know he has been honestly engaged since I have known him in trying to protect the fisheries of this country. I have every confidence in him but at the same time I do not want to undertake to do things that we have no right to do.

Hon. Mr. FERGUSON—This question of the ownership of these non-tidal waters was submitted to the court touching the rights of the provincial or the federal government in these non-tidal waters. No decision has been rendered yet upon that question, but the presumption, as far as the opinion of the Department of Marine and Fisheries is concerned, is very strongly in support of the view that the Federal Government have the right to deal with these waters by regulation.

Hon. Mr. ANGERS—Why don't you wait for the decision of the court?

Hon. Mr. FERGUSON—That may be a reason for waiting; but, at the same time, the Federal Government has, up to this time, exercised the right to regulate fishing in these non-tidal waters. Although that right is questioned to some extent by the provinces, yet the Department of Marine and Fisheries believe that until that right is expressly taken away from the Federal Government we should go on exercising it wisely and well. So far there has been no decision vesting the control in the provinces. Whatever presumption there is in the way of control rests with the Federal Government. That being so, I think hon. gentlemen will agree with the view of the Minister of Marine

and Fisheries, and that until an adverse decision is given on that question, we can go on controlling those fisheries wisely and in the best interests of the country.

Hon. Mr. DRUMMOND—I hope the government will withdraw the bill, which is objectionable in many respects. The hon. gentleman from Monck struck, with his usual discrimination, on the first and foremost great blot on the bill, which is this, that the matter being *sub judice* at the present moment, it is to say the least of it, a breach of ordinary comity, ruling such matters, to legislate on a subject over which the law may not give us jurisdiction. The facts that the hon. gentleman has placed before us are entirely, I fear, contrary to the assumption of the constitutionality of this bill. He would have us believe that it is a case in which the riparian owners, having rights recognized by all, are deprived of certain privileges on their own property which the government now proposes to restore to them. It is true that prior to 1882, when the case of Robertson *vs.* the Queen was decided, the government practically contended that they owned the fisheries in all these non-tidal waters; they leased them, and collected rents for them; they placed guardians on them, and did what they liked. They disregarded and ignored the rights of all riparian owners and the province alike. The decision in the case of Robertson *vs.* The Queen upset all that. No sooner was it issued than the government dropped everything and skedaddled. They took away their fishery inspectors and guardians. They gave up their right to lease. They surrendered all the rights they possessed to the province and to the riparian owners, and then, for the first time since Confederation, did the riparian owners come in for the rights which they, as the law now exists, possessed from the very beginning. It has taken the government from 1882 to 1889 to recover from the shock of that defeat, and only in the latter year did they put the matter once more into litigation. Their contention is set forth in the *factum* then submitted to the court by the Dominion Government, which is prefaced by a letter from the Minister of Marine and Fisheries to the late Premier, Sir John Thompson. He says:—

You are aware since the decision of the Supreme Court of Canada in the case of Robertson

vs. The Queen some of the provincial governments have claimed that the exclusive right of fishing on inland lakes and non-tidal waters is vested in the respective legislatures. * That decision cannot be said to have been as carefully considered as the great importance of this subject requires, and some more satisfactory definition of the jurisdiction of the local and federal authorities is desirable. To this end I have to request that you will arrange for a submitted case.

From that date the matter has been in litigation. It was in litigation last year, when the government introduced into the House of Commons a bill similar to this. That bill was withdrawn, for the reason then given, that the matter was in litigation—but I had better not trust my memory, I will give you the report as it appeared in the Montreal papers that day. In the news from Ottawa, we are told that “Mr. Foster announced in the House this afternoon that the Superannuation Bill would be dropped, and the bill to amend the Fisheries Act would not be proceeded with, as the question was pending in the courts.”

Hon. Mr. SCOTT—Hear, hear.

Hon. Mr. DRUMMOND—That question was argued last December and has not yet been decided. Is not the reason which was given last summer for withdrawing the bill from the House of Commons a very good and sufficient reason for not introducing it in the Senate at the present moment? I hold that it is, but the hon. minister would have you believe, honestly no doubt—because I think he was a little astray on that particular point—that the matter was one to remedy a disability under which the riparian owners—the real owners of the fisheries—laboured. Following on the decision of *Robertson vs. The Queen*, an entire change took place in the way in which the fisheries were prosecuted in the salmon fishing rivers, to the eastward, at any rate. The riparian rights in farms, which before had been of comparatively little value, rose immediately. Immense numbers of farms on fishing rivers were sold outright to anglers and angling clubs at phenomenal prices, simply because they conveyed, as the purchasers believed, the absolute right of fishing in front of their doors; so that the riparian owners, who are now commiserated, managed by this decision and by the state of the law, to obtain for their property sums which were considered at the time perfectly fabulous. The most of the

riparian owners' rights on angling rivers have been sold to anglers for large sums. The purchasers of those rights do not want this privilege. The original riparian owner sold to a second riparian owner, and he does not ask for this right of netting in front of his door or his property. So I dismiss, as perfectly unfounded, all attempts to say that this bill is in the interest of the riparian owners, because it is not.

Hon. Mr. FERGUSON—Those who are settlers, I mean.

Hon. Mr. DRUMMOND—Who have not yet sold their land?

Hon. Mr. FERGUSON—Yes.

Hon. Mr. DRUMMOND—I will deal with that a little later on. Now, apart from the policy which I have urged on the government of abstaining from legislation while litigation bearing on this question is before the very highest court in the country, I would ask the Senate to consider for one moment what its position would probably be if it read this bill a second time, and passed it, should the decision of the Supreme Court, yet to be rendered, be adverse to the contention of the Crown. We would have given our assent to an Act which was in itself invalid. We would have probably given rise to a contest of a more or less aggravated character between licensees of the Crown and riparian owners. Supposing we passed this bill at the present session, and licenses are given to parties in various parts of the Dominion and the Supreme Court should decide that we had no right to issue these licenses, you can imagine that in those settlements, and localities far withdrawn from the reach of the law, very extraordinary scenes might be enacted.

Hon. Mr. MACDONALD (B.C.)—What is the nature of the case before the court now?

Hon. Mr. DRUMMOND—It is simply an attempt to set aside the decision of the *Queen vs. Robertson*, and destroy private rights in the rivers, to the exclusion of the riparian owners. Now, as I say, this Senate, if it granted the passage of this bill, would find itself in the position of having done an illegal and invalid act, which might give rise to struggles and contentions, some of them forcible, no doubt, in certain locali-

ties, which would disgrace this Dominion; but, I think, first and foremost, it would introduce a very great distrust of the equity of our legislation at Ottawa. Vast sums have been paid by clubs and individuals for rights which we propose, as soon as they are paid for and acquired, to legislate away. That is the position in which we would stand; but, apart from all that, if we take the history of all the legislation upon this question in our own and other countries, no man who has any knowledge of the subject will maintain that the right to net in non-tidal waters, in remote rivers, the head waters of remote rivers, is one which is in accordance with public policy, or for the benefit of the country enacting it. It is not a question between anglers on the one hand, and fishermen on the other. It is not a question between the honest settler and the riparian owner, on the one hand, and the millionaire who goes for two or three weeks to sport on the river, at all, on the other hand. The habitat of the fish is distinctly in the sea. There it grows and feeds and thrives and it only re-visits the rivers at stated periods for the purpose of breeding. It has been held, and rightly held under my view of it, that the moment a salmon enters the river for the purpose of breeding it begins to deteriorate until the spawning is finished, and it goes back to the sea a skeleton, if it survives. It must be evident that this struggle between the upper and the lower water, between the sea fishermen—that is to say the fishermen in tidal regions—and the riparian owners, and the owners of property and fisheries in the upper waters has been going on in all parts of the world where salmon has been known for a long time. It has been the struggle par excellence in the British Isles, and it arises from the fact that it is a very hard thing to reconcile the two interests. On the one hand if you make the nets in the tidal waters too effective, and take too large a proportion of the annual migration of fish, you do not leave enough for breeding purposes and the deterioration is felt the next year, or the year after. On the other hand, if you allow an ample supply of breeding fish to go up the river, and permit the upper waters to be depopulated by nets or any other means, to effect the same end, the deterioration of the fisheries follows as surely as night follows day. That being so, a wise and

judicious government will take very good care that it would do nothing which, above all things, would interfere with the stock of breeding fish in a river. The amount of fish taken by anglers in any one of these streams is a mere bagatelle compared with the quantity of fish taken by the nets at the mouth, and the public interest is exclusively in the supply of the markets, and the keeping up of that supply. Now the anglers have rights which they have acquired under the law. But regarding it from a public point of view, I have only to say that I believe that the anglers do a great service to the community at large in two or three ways. First, they promote and keep under supervision, for a considerable portion of the year, long stretches of interior waters, which otherwise would be left entirely without supervision or control. The interest of the angler is all in his fishing. He is not allowed to use nets. He is not allowed to spear; on the contrary, his interests are all in the conservation of the fisheries. For the control and supervision that he exercises over these head waters he deserves encouragement if on no other ground whatever. Supposing the Minister of Marine and Fisheries gets the right of licensing fishing nets in the upper parts of the river, where the depth diminishes and the width of the river is contracted and where it is nobody's business to prevent the destruction of the fish, it would be in the power of a man in those upper regions to deprive the river at once of a very large proportion of the breeding fish on which the whole success of the fishing up and down depends. How is he to be controlled or watched? I repudiate once more emphatically that I am speaking for the anglers, though I say they deserve consideration on the strength of the public acts of this Dominion and they should not be deprived of their rights by a side wind. If licenses were granted to net in the upper waters, the first people who would feel the pinch and the first people who would raise trouble would be the net fishermen in the tidal portions of the river, and they would have good reason to do so, because the stock of breeding fish being diminished, the value of the fisheries would decrease. If I have made myself clear, I would appeal once more to the government to withdraw this measure, on the very strong ground that they abandoned a similar bill in the House of Commons last year because it

was in litigation. There is no reason in the world why the same reason should not operate to-day as it did last July. If they decline to be influenced in that way, I shall, very much to my regret, have to conclude what I have to say with the following motion; that the bill be not now read the second time, but that it be read the second time this day six months.

Hon. Mr. MACDONALD (B.C.)—Has the hon. gentleman looked at this phase of the question—supposing the riparian rights are with the proprietors and the government withdraw from making regulations on the rivers, what is to prevent the owners fishing with nets or any means they like?

Hon. Mr. DRUMMOND—The Fisheries Act is exceedingly strict. In Scotland I could fish with fly, or spinning bait, or minnow, or anything else. Here I am restricted to fly fishing only. In carrying out the same policy, which is a good policy, the fishing with nets out of tidal waters is at the present moment prohibited by law.

Hon. Mr. ANGERS—I hope that the Minister in charge of this bill will comply with the request of the hon. member from Kennebec and not press the second reading of this bill. The case has been clearly laid before the House, that previous to 1882 the Dominion Government had assumed the authority and control of rivers beyond the tidal waters. Many contests had arisen on that point and it was always held in the province of Quebec where seigniorial grants had been made, including the right of fishing, that those rivers belonged to the seignior or the censitaire and in Crown domains that it belonged to the province. In 1882 the Robertson case arose in New Brunswick and the judgment of the Supreme Court of Canada was plain and distinct that those rights in the Crown domain belonged to the province, and wherever a concession had been made without any reservation, the right belonged to the riparian proprietor. Now there is a fact that you must not forget, which is this: the Dominion Government have assented to that judgment. They have acquiesced in that judgment and have handed over that valuable property to the local government, and since then the local governments have been dealing with it, and consequently they have been disposing of

those rights. The local government have been selling or licensing rivers for periods of five or ten years. I know some rivers that are leased at \$6,000 a year for the purposes of angling. I know instances where the riparian proprietor has sold his fishing rights for several thousand dollars. How could we to-day, in good faith, pass a law which would declare the judgment to which we have assented will be of no avail and that those people who have invested thousands and thousands of dollars in purchasing rights to fish will be cheated out of them. Surely the Parliament of Canada is not willing to do that. Even if the Supreme Court should alter its opinion, which I hope it will not, and declare that those rights belong to the Dominion Government, I believe there would be a right in equity and justice to claim back this enormous amount of money which has been paid out by clubs or individuals, and money that has been received by farmers would have to be recouped in some shape or other. There would be a claim against the Parliament of Canada if they wished to enforce such a judgment, which I hope and believe cannot be obtained from the Supreme Court, because the question was as fairly and fully discussed in Robertson's case as it can be to-day. I look upon this bill, not as a bill to protect the fisheries or the riparian proprietor—I look upon it as an attempt to destroy salmon fishing in Canada. It is known that the salmon is a fish from the sea. It has to contend there with many enemies—sharks, seals and others—before it reaches the mouth of the river. There again it has to contend with another enemy, which is the licensed fishermen at the mouth of the river in the tidal waters. After the poor salmon has escaped all those enemies, I am sorry to see that my hon. friend, the acting minister of Agriculture, wishes to set himself up in the river as a new shark and there catch the salmon, because when the fish has reached that place out of the tidal waters, in the narrow river, sometimes 40 to 50 feet wide, the net is to be set for him again. Surely you seek the complete destruction of the salmon, as though it were a useless or obnoxious fish coming up our rivers from the sea. I look upon this bill, therefore, as an attempt to destroy salmon fishing completely because you set up in narrow rivers, out of your jurisdiction, a new enemy to prevent the breeding of the fish. I should like the hon. minister in charge of this bill to point out

one country which permits the setting of standing nets in rivers above tidal waters. Is there a place where such fishing is allowed under the law? It is not in the United States, it is not in England, or Scotland, or anywhere. It is impossible to find, out of Canada, a similar attempt to the one which this bill discloses. After the salmon has gone out of the tidal water and avoided all the enemies it meets there, it has to contend with the anglers. Well, it is as fair a battle—I suppose many of you have caught a salmon—as it is possible to engage in with a fish. If you induce him to take the fly, you hold him with a piece of gut which is no bigger than a hair from your head, and he has thousands and thousands of chances of freeing himself. You do not catch one per cent of the fish that go up the river for breeding. If you set a net you will scoop them out altogether. There is not a fish that can avoid a net in a narrow place out of the tidal waters. And, moreover, the right of angling is limited. Do not suppose that you can go on angling over a river until late in the fall of the year. On the contrary, there is a limited time during which you can angle, up to the 15th August. After that date, under the Fisheries Act, it is an illegal thing to attempt to catch a salmon by angling. Therefore, I hope, under the circumstances, that the Minister will accept the suggestion made by the hon. member for Kennebec. I wish to draw the attention of the government to another point; the question is now submitted to the decision of the Supreme Court of Canada. It was argued last October, and the Government should await its decision before adopting any steps in this matter. I hope they will not press the second reading of this bill.

Hon. Mr. PERLEY—If the anglers only catch one per cent of the fish by the present method, what is the good of preserving them?

Hon. Mr. ANGERS—One per cent of the fish that reach the ground for breeding.

Hon. Mr. PERLEY—You did not say that.

Hon. Mr. ANGERS—I meant that by angling not one per cent of the fish was caught; of course, thousands and thousands of fish are caught at the mouth of the river at tidal water for supplying the market.

Hon. Mr. PRIMROSE—I sincerely hope that, under the light which has been thrown on this measure, in this discussion, and especially under the consideration that this matter is now *sub judice*, the mover of this bill will withdraw it. I do not wish to give a silent vote. Apart from all the other reasons which have been urged so strongly, the one reason that this is now *sub judice* is enough. I can readily see the effect that would be produced were we to pass this measure, and anticipate the action of the court, possibly in a manner antagonistic to their finding; I can see how complete the stultification of this House would be. Under the circumstances, I cannot support the bill.

Some hon. MEMBERS—Withdraw, withdraw!

Hon. Mr. FERGUSON—In view of the expressions of hon. gentlemen, I think it would be better that the discussion should not proceed any further at this time, and if my hon. friend will consent to withdraw his motion, I will move that the debate be adjourned until I have time to consult the Minister of Justice.

Some hon. MEMBERS—No, drop!

Hon. Sir MACKENZIE BOWELL—I would suggest to the hon. member from Kennebec to withdraw his motion and my hon. friend after what has been stated, more particularly by the ex-Minister of Agriculture, as to the legality of the proceeding which has been taken, will consult the Minister of Justice on that point. Let the order stand on the paper till to-morrow, or next day, when if there is a doubt as to the constitutionality of the bill it will be dropped.

Hon. Mr. DRUMMOND—With the consent of the House I am willing to accept that suggestion, provided that it will not be postponed later than to-morrow.

Hon. Mr. ALMON—Considering the late stage of the session, would it not be better to settle this matter immediately? The hon. member who introduced the bill had better withdraw it or let us take a vote upon the amendment.

Hon. Mr. SULLIVAN—It is only an act of courtesy to the hon. gentleman, occu-

pying the position he does, to accept his suggestion. I am sure the feelings of members will not change between now and to-morrow.

Hon. Mr. POWER—As long as the hon. member from Kennebec is willing to postpone the matter, my hon. colleague should not object.

The amendment was withdrawn.

Hon. Sir MACKENZIE BOWELL—A member having spoken has no right, under the rules, to move the adjournment of the debate. I therefore move the adjournment of the debate for the reasons that have been given.

The motion was agreed to.

REPRESENTATION OF NORTH-WEST TERRITORIES IN SENATE OF CANADA BILL.

THIRD READING.

The House resolved itself into Committee of the Whole on Bill (R) "An Act to amend the Act respecting the representation of the North-west Territories in the Senate of Canada."

Hon. Mr. SULLIVAN, from the committee, reported the bill without amendment.

The bill was then read the third time and passed.

The Senate then adjourned.

THE SENATE.

Ottawa, Thursday, 16th April, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE CONTINGENT ACCOUNTS OF THE SENATE.

REPORT OF THE COMMITTEE ADOPTED.

Hon. Mr. McKAY moved the adoption of the third report of the Standing Committee on the Internal Economy and Contingent Accounts of the Senate. He said: There are only a few clauses in this report that require any explanation. The first,

second, third, fourth and fifth are the usual clauses that appear in this report from year to year; there is nothing new or important in them. Clause six simply affirms a resolution of five years ago with reference to a principle that was established at that time and I presume any person reading it will quite readily understand it. Clause eight reads:—

Your committee recommend that John G. Meagher, who has been employed temporarily during the present session, be paid for his services, for the present session only, at the same rate as a sessional messenger.

This is a messenger who has been about the Senate during the present session and who has been of great service. The committee thought, in their wisdom, that it was proper that he should be paid. His payment is only for the present session and is not to be continued. Section nine perhaps needs some explanation. It has been the practice of both Houses of Parliament that the reports of the ministers in each House should be translated by the translators of the House in which the minister held a seat. It happened in this case that the Minister of Agriculture was in the Senate in 1894, and the report of the Experimental Farm was presented here. The translators of this House found that the work was of a very technical nature and would occupy a very much longer time than they could give to it, and it was decided to give it to a translator outside of the staff of this House. It was given to this Mr. Guignard, a specialist in that direction as I am told, and the cost is \$336. The work was done well, I understand, and we were informed that the price was a reasonable one. The committee recommend the payment of that sum. The last clause is simply a mild censure on one of the officials of the House who should have performed a duty and has not done it. I think those are the principal sections of the report that need any explanation.

Hon. Mr. CLEMON—I do not intend to make a motion, but I think there should be some arrangement whereby the cost of this printing should be borne by the Printing Committee. This should not be a charge against the Senate. I do not think that it should be made an exception to the general rule applying to the printing of public documents by the Printing Committee of parliament. I hope it will not be a precedent for charging

similar amounts in the future to the Senate. There is no appropriation made for it, and I do not see how we can spend money in this way. I think it will be necessary in the future to make some appropriation, either that the amount should be provided for in an appropriation for the Senate, or that it be expended by the Printing Committee of both Houses of Parliament.

Hon. Mr. McKAY—It is translation—not printing.

Hon. Mr. CLEMON—Yes, I understand. In the House of Commons, I believe, this is made a charge upon the general revenue of the country and not against the Commons, and therefore it is not right to charge this printing to the Senate. We are obliged to pay a certain amount for which there is no appropriation, and therefore I do not think it is right that it should be a charge on the revenue of the Senate.

Hon. Mr. DEBOUCHERVILLE—Before this is carried, I should like to call the attention of the government to another point. The last clause says:—

Your committee regret that the Manual to include the rules of 1893, the British North America Act and certain information as to the forms of proceeding in the Senate, which was ordered to be ready for distribution in 1894, has not yet been placed in the hands of members. Your committee trust that the officer whose duty it was to prepare the manual will have it ready for distribution at the next session of parliament.

These rules should be revised again. There are some parts of them which certainly should be changed, and it would be better to name another committee to which these rules could be submitted.

Hon. Mr. POWER—As I understand, the manual has already been printed and is now in the binder's hands, so that it would not be possible to do what the hon. gentleman suggests.

Hon. Mr. DEBOUCHERVILLE—What is there to prevent it?

Hon. Mr. POWER—There is the fact that the rules have already been printed and are now in the binder's hands.

Hon. Mr. DEBOUCHERVILLE—But if they require amendment they should be changed.

Hon. Mr. McCALLUM—Why is this \$336 charged to the Senate? Why should not the Department of Agriculture pay that?

Hon. Mr. CLEMON—Why should not the Printing Committee pay it?

Hon. Mr. McCALLUM—I do not see that we have any right to pay it. It is said in the country that the Senate is a very expensive institution. I am willing to be held responsible for all the expenditure that we incur, but I do not like to see the Senate charged with this item. It is not a very large amount, but the principle is there, and I do not know where it is going to end.

Hon. Mr. McKAY—I would say, in explanation, that this charge is not for printing but for translation, and the practice has been, as I have already stated, to have such translation done by the translators in both Houses, but the translators in this House found it of too technical a nature, and the work had to be done outside by a professional translator. Of course, in one sense it is as long as it is broad; we pay it out of contingencies, and provision must be made for that purpose.

Hon. Mr. BELLEROSE—Is this the whole report of the committee or are we to expect another report?

Hon. Mr. McKAY—These are the whole proceedings. I may say there were small recommendations which it was not thought necessary to bring before the House—small recommendations which appear on the minutes of the Clerk.

Hon. Mr. BELLEROSE—Was there not some increase of salary?

Hon. Mr. McKAY—No.

Hon. Mr. POWER—I sympathize with the hon. member for Monck in respect to the charge for the translation, but we found we were really responsible for this work. However, in future the departments ought to pay for their translation. I do not think it is fair to charge either this House or the House of Commons with the translation of departmental reports. These translations should be paid for by the different depart-

ments. The rule set forth in the British North America Act is that the proceedings shall be in both languages, and that applies to the departments as well as to the House. In future the departments ought to furnish their own translation.

Hon. Mr. McCALLUM—Of course, if we are responsible, by all means we should pay it; we should discharge all our responsibilities, but I hope such an item will not appear again.

The motion was agreed to.

FISHERIES ACT AMENDMENT BILL.

WITHDRAWN.

The order of the day being read :—

Resuming the adjourned debate on the second reading of Bill (O) "An Act further to amend the Fisheries Act."

Hon. Mr. FERGUSON said: In consequence of the considerable diversity of opinion among hon. gentlemen with regard to this bill yesterday, the lateness of the session, and the impossibility of it becoming law this year, it is the intention of the government not to press the measure. I therefore ask leave to withdraw the bill.

The bill was withdrawn.

POLLING DISTRICTS IN VICTORIA, BRITISH COLUMBIA, BILL.

FIRST READING.

Hon. Sir MACKENZIE BOWELL introduced Bill (S) "An Act to make provision with respect to the election to be held in the Electoral District of Victoria, British Columbia, at the next general elections." He said: As I intimated yesterday, I introduce this bill for the purpose of making special provision with respect to the election to be held in the electoral district of Victoria, British Columbia, at the next general election. The reasons for the introduction of this bill are as I indicated yesterday in the few remarks that I then made, in reply to the inquiry of the hon. gentleman from New Westminster, that in one of the polling division in Victoria—No. 11—there are 1,039 voters upon the list, and there is only one polling booth, which is situated at one of the extreme corners of the division,

extending over twelve miles of territory one way by three the other. The city of Victoria is situated almost in the centre of this polling subdivision, so that the voter who lives at one corner of the division, has to travel through the city, down to the other corner, in order to record his vote. It is the duty of the revising officer under the law, to subdivide his district, but in this instance he neglected to do so when the lists were revised, probably from a want of knowledge of the amendment which had been made to the general Franchise Act; and hence it was impossible for all the electors of that polling subdivision to record their votes. The present bill is for the purpose of giving power to the returning officer, whoever he may be, to divide the polling subdivision into five, or not more than six, so that he must have no more than 300 in each polling subdivision. It is giving him the power which the revising officer has under the law and which he failed to exercise, and which he has now no power to amend. I find the polling subdivisions of that district to be as follows :—

No. 10.....	850 votes.
" 9.....	426 "
" 8.....	441 "
" 7.....	491 "
" 6.....	609 "
" 5.....	777 "
" 4.....	842 "
" 3.....	404 "
" 2.....	419 "
" 1.....	597 "

Subdivision 12 has only 76 voters. All these subdivisions, other than 11, are within the limits of the city of Victoria, and consequently the returning officer and not the revising officer has the power to subdivide, giving polling booths to the electors so as not to exceed 300 in each polling subdivision.

Hon. Mr. McINNES (B.C.)—Will the hon. gentleman inform me what is the limit of the number of votes allowed for each polling booth?

Hon. Sir MACKENZIE BOWELL—Not to exceed 300.

Hon. Mr. McINNES (B.C.)—That is according to this bill, but what is it in the general Act?

Hon. Sir MACKENZIE BOWELL—The same.

Hon. Mr. McINNES (B.C.)—The reason I ask the question is this. In every electoral district in British Columbia you will find any number of polling divisions in which there are over 300 votes.

Hon. Sir MACKENZIE BOWELL—If such is the case, and the revising officer has not performed his duty in dividing these polling subdivisions, they are in the same position, but not to the same extent, as this polling division in Victoria, but the attention of the government has not been called to any flagrant case except this.

Hon. Mr. McINNES (B.C.)—At the second reading of the bill I will have a list of the polling subdivisions.

Hon. Sir MACKENZIE BOWELL—If the hon. gentleman will furnish me with the information, and he thinks it advisable to include it in this bill, I will have it done.

Hon. Mr. POWER—My impression is the law provides that if there are more than 400 voters in a district, then the revising officer may subdivide so that each division shall have not more than 300.

Hon. Sir MACKENZIE BOWELL—Section 23 of chap. 5, 49 Victoria, of the Consolidated Statutes, is as follows:—

Whenever the number of voters in any polling district increases so as to exceed 300 or whenever the revising officer considers that the convenience of the voters would be promoted by a new and different subdivision he shall, &c., &c.

I understand this to mean that even if there are less than 300 voters and they are so situated that it is inconvenient for them to cast their votes, a subdivision can be made. I have a case in point: in my own constituency there is what is called the Free Grant Territory some distance from the city. The polling booth was at a small village called Maynooth, but the larger settlement in that polling subdivision was, and is to-day, in what is termed Mount Eagle Valley—that is the centre of the township, while the village is at the extreme north-west corner; and when the polling subdivisions were being rearranged, I went to the revising officer and pointed out the difficulties that those voters who lived at a distance in the valley, had in coming twelve or fourteen miles, sometimes

over very bad roads, to reach the polling booth, and on my representation, although the voters did not exceed 300—on the contrary, not more than 200—he established another polling subdivision, and under the law I think the returning officer has that power. The provisions of this short bill will meet the requirements of district No. 11 in Victoria, and there will be another short bill introduced in the House of Commons amending in the same way the electoral subdivisions of the Yale-Cariboo district, but I am not in a position to inform the House at the present moment as to the exact nature of it. The Minister of Justice informed me to-day, when he handed me this bill, that the member representing the Yale-Cariboo district in the House of Commons desired such a change.

Hon. Mr. McINNES (B.C.)—I understand this bill applies only to polling district No. 11 in the city of Victoria?

Hon. Sir MACKENZIE BOWELL—That is all.

Hon. Mr. McINNES (B.C.)—I hope the premier will, when this bill is up for second reading, have a copy of the last revised list for the city of Victoria so that we can understand it more thoroughly.

Hon. Sir MACKENZIE BOWELL—I certainly have no objection to getting the list. I am giving the hon. gentleman the number of voters in each polling subdivision in the whole electoral district, but as I have explained to the House, although many of the divisions within the city had over the 300 voters, the returning officer had the power, under the law, to make the change and divide them, which power he does not possess out of the cities and town.

Hon. Mr. McINNES (B.C.)—It was merely in order to ascertain the boundaries—that portion which extends out into the country.

Hon. Mr. MACDONALD (B.C.)—It ought to extend to other districts than number 11. There is great inconvenience found where voters have to travel miles and miles from Mitchosen to the polling place in Esquimalt district. Victoria extends about 15 miles in one direction and eight in another, and

they found it very difficult to come from some of the outlying parts. In district No. 11, some voters had to go out of the town limits for a number of miles to vote. I think a district with only 600 or 400 voters might be left without change, for this reason, in the city of Victoria, at the election of Naylor, they could take 4,000 or 5,000 votes between 8 in the morning and 4 in the afternoon, and I do not see why they could not do the same in a general election, if there is no intentional obstruction.

Hon. Mr. SCOTT—From the statements made by the hon. gentlemen from British Columbia, it would appear that the revising barristers have neglected their duty in other divisions, as well as in Victoria. Would it not be as well to give the returning officers general power to make subdivisions? Before the appointment of the revising barristers, the returning officer always had the power to do so, and it seems to me that it would be wise to give the returning officers of British Columbia, generally, such power, since the barristers there seem to have neglected their duty—the general power which they had before the revising barristers were appointed.

Hon. Sir MACKENZIE BOWELL—In the district to which the hon. member from Victoria called my attention it was not deemed necessary to interfere on account of the limited number of votes. There are only 78 votes in the Mitchosen division, large as it is, and it is not deemed advisable in dealing with this special case for a special object, to go beyond what is considered absolutely necessary.

Hon. Mr. McINNES (B.C.)—In the Mitchosen district, at the last election, there were only 33 or 35 votes cast altogether.

The motion was agreed to and the bill was read the first time.

The Senate then adjourned.

THE SENATE.

Ottawa, Friday, 17th April, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE SITTINGS OF THE HOUSE.

Hon. Sir MACKENZIE BOWELL rose to move—

That when the Senate adjourns to-day it do stand adjourned until Saturday, the 18th instant, at 3 o'clock in the afternoon.

Hon. Mr. POWER—Before the hon. First Minister moves the resolution of which he has given notice, I wish to call his attention to the fact that it is not at all probable we shall have any business from the Commons, as I understand they are not doing very much now to push business that is likely to come before us, and consequently, it is not necessary or desirable to have a session to-morrow. Some arrangement might be made, therefore, to push the business through with more expedition next week.

Sir MACKENZIE BOWELL—When I put this notice on the paper yesterday, I was under the impression that the proceedings of the other House would have been of such a character as to give us some work to do, and knowing that we have but three days next week, and, that it will take all the time at our command if they pass the government bills on the notice paper to give them any consideration in the Senate, I thought it better to move that we should have two sittings of this House on each day next week as we have had in former sessions. With that object in view, I wish to drop the notice with the consent of the House and move the following:—

That on Monday next and for the remainder of the session there shall be two distinct sittings of the House every day, the first of such sessions to begin at three o'clock in the afternoon and to continue until six o'clock in the afternoon, unless the House be sooner adjourned; the second of such sittings to begin at 8 o'clock in the evening and to continue until such time as the House adjourns, and that for all purposes of the rules orders and forms of proceedings, each of such distinct sittings be considered equivalent to a sitting.

The motion was agreed to.

POLLING DISTRICTS OF VICTORIA, B. C., BILL.

SECOND READING.

Hon. Sir MACKENZIE BOWELL moved the second reading of the Bill (S) "An Act to make provision with respect to the election to be held in the electoral district of Victoria, B. C., at the general election." He said :

I endeavoured to obtain the list of voters suggested by the hon. member from New Westminster. The Queen's Printer said they had none, but that he would put the plates on the press and print one. I did not think that would be necessary, as the figures which I gave to the House with reference to the polling subdivisions, I have every reason to believe, are correct. Of course, I did not verify them myself, I also called the attention of the Justice Department to the suggestion made by the hon. member from Ottawa when he asked if it would not be as well, instead of passing a special law for this particular electoral district, to change the electoral law so as to give power to all returning officers to remedy any defect of this character. However, the reply of the Minister of Justice was that that was a matter requiring a good deal of consideration; that he would not like to assume the responsibility of making such a radical change until he had had time to make a thorough investigation as to how it would effect other electoral districts. Under the circumstances, considering the late period of the session, it would be better not to go beyond what was considered to be absolutely necessary in connection with the Victoria electoral division.

Hon. Mr. McINNES (B.C.)—The first Minister gave certain information with respect to the electoral division of Victoria and more particularly polling division number 11. He gave the House to understand that that was practically the only rural polling division that was attached to the city of Victoria. It is the largest territorially.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman will remember that the hon. Senator from Victoria called my attention to another division, and I pointed out that it contained only 78 votes.

Hon. Mr. McINNES (B.C.)—The hon. first Minister has not been sufficiently informed as to the position of two of the polling districts, namely, Nos. 10 and 11. He distinctly stated yesterday that No. 10 was a city district. On the contrary, in No. 10 there were nearly 100 more votes cast in the last election than in No. 11. A very large proportion of the district is in the country, beyond the limits of the city. I was under the impression that that was the division to which the hon. gentleman referred when he spoke about introducing this bill. It was in that polling division only where any inconvenience of any consequence was experienced.

Hon. Sir MACKENZIE BOWELL—Division No. 10?

Hon. Mr. McINNES (B.C.)—Yes. I have the returns published in the government organ last January after the election. In polling division No. 10, "The Willows," 190 votes were polled for Prior and 174 for Templeman, making a total of 364. In No. 11 which is Victoria West, 170 votes were polled for Prior and 128 for Templeman, or only 298 in the whole of that division.

Hon. Mr. McKAY—How many were there on the list?

Hon. Mr. McINNES (B.C.)—In the electoral district of Victoria we have in the neighbourhood of 7000 names on the list, but in a number of instances the names appear five, six and seven times.

Hon. Mr. ALMON—Personation.

Hon. Mr. McINNES (B.C.)—We have never come to that state of political demoralization in British Columbia. Out of 7,000 votes on the list, only 3,073 were cast in the late election, including spoiled ballots. There was considerably less than half the total number of names on the list recorded, and I know whereof I speak when I say that the vote was pretty fully polled. I am rather inclined to think that there will not be any larger vote polled at the general election. I have this suggestion to make to the Premier—instead of providing that there shall not be less than five nor more than six divisions in polling district No. 11, he should

add another one, leaving that portion of No. 11 which is now included in the corporation of the city of Victoria as one polling division, and have another one out in the country to accommodate the country vote. I would suggest also to divide No. 10 in the same way, leaving the portion in the city as it is now, and adding another polling division outside of the city, because I know that in No. 10 a great deal of inconvenience was experienced, and owing to the rush of votes at the time, the returning officer forgot to initial 22 or 23 ballots. The consequence was those ballots were thrown out. If the hon. gentleman will accept this suggestion, every purpose will be served and no inconvenience whatever will be experienced by the voters in either of those two polling divisions. Under this arrangement, the voters in the country would not have to travel more than three or four miles to poll their votes, and in the one instance and not more than two or two and a half miles in the other.

Hon. Mr. MACDONALD (B.C.)—I made a mistake yesterday; I thought No. 10 was meant instead of No. 11. According to the information which my hon. colleague has furnished, No. 10 needs to be divided. There will be no harm in giving power to divide the two divisions.

Hon. Mr. McINNES (B.C.)—You will find by reference to the figures which the hon. gentleman gave yesterday that even in the city of Victoria itself one district contained 828 votes, and of that number about half were polled without any inconvenience or cause of complaint whatever. The election was conducted in an orderly manner and every person who presented himself to record his vote was accommodated.

Hon. Sir MACKENZIE BOWELL—The only information that I could give to the House was that which was furnished me by those who were supposed to know what the electoral districts of Victoria are. It is quite true I pointed out that some of the polling divisions in the city of Victoria exceeded 800 votes, but there the returning officer under the law has the power, without any amendments to the law, to subdivide these districts into as many polling places as he thinks proper. It is only in that portion of the electoral district outside of the city of

Victoria that the duty of dividing it devolves upon the revising officer. The returning officer in such case has no power whatever, and the object of the present amendment to the Act is to give the power in this particular instance to the returning officer of that district to divide this polling division which contains 1,039 votes. Did I understand the hon. gentleman to say that polling division number eleven was partly within the city limits?

Hon. Mr. McINNES—Yes, and so is No. 10.

Hon. Sir MACKENZIE BOWELL—Well, that is quite different to the information I got from my colleague, the Hon. Mr. Prior.

Hon. Mr. MACDONALD (B.C.)—The two divisions are half in the country and half in the town.

Hon. Sir MACKENZIE BOWELL—I might inform the House that I made special inquiry as to No. 10 before introducing the bill, and I was told that it was within the city limits, and the other was on the outside, and I suggested the propriety of giving to the returning officer the same power in reference to No. 10, and also in reference to No. 4 (which has about 850 votes), that we were giving with regard to No. 11. If the divisions are as the hon. gentleman says they are—and I have no right to dispute him, because he ought to know, living in the city—I would postpone going into committee until Monday, and make inquiry, and see whether it could not be extended. There is no reason why the same power should not be given with reference to the two divisions. I might as well ask another question for information. Was the last election held under the same voters' list that exists now, or has there been a revised list prepared for the coming election since the last election?

Hon. Mr. McINNES (B.C.)—It was under the revised list of 1894 that the election was held.

Hon. Sir MACKENZIE BOWELL—Then that only shows that out of 850 votes 360 were polled in No. 10, and 289 in No. 11 which I take to be the more extensive in area. One explanation given to

me for the limited number of votes polled was the long distance that the voters had to travel and the difficulty of reaching the polling booths. I have no doubt that is the case.

Hon. Mr. McINNES (B.C.)—At the very least, two-thirds, if not three-fourths, of the votes that are registered for those two polling divisions are included within the city of Victoria, and that is why I suggest that one additional polling division in each of those divisions for the convenience of voters in the rural portions that are attached to Victoria, would be quite ample to obviate all inconvenience.

The motion was agreed to and the bill was read the second time.

The Senate then adjourned.

THE SENATE.

Ottawa, Monday, 20th April, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

VOTERS LISTS OF 1896 BILL.

FIRST, SECOND AND THIRD READINGS.

Hon. Sir MACKENZIE BOWELL introduced Bill (87) "An Act respecting the Voters lists of 1896." He said: I might explain to the Senate that this bill is simply to render unnecessary the revision of the voters' lists this year, and nothing more.

The bill was read the first second and third times and passed under a suspension of the rule.

THE PRINTING OF PARLIAMENT.

THE REPORT OF COMMITTEE ADOPTED.

Hon. Mr. DEVER—In the absence of the chairman of this committee, I move the adoption of the second report of the Joint Committee of both Houses on the Printing of Parliament.

Hon. Mr. DICKEY—I think the House should have some regard to the previous

practice in such cases as this. This report creates a new office at a salary, and as far as I know, it has not yet been adopted by the other House.

Hon. Mr. DEVER—The report has been adopted in the House of Commons.

The motion was agreed to.

POLLING DISTRICTS IN VICTORIA, B.C., BILL.

THIRD READING.

The House resolved itself into a Committee of the whole on Bill (S): "An Act to make provision with respect to the election to be held in the electoral district of Victoria, B.C., at the next general election."

(In the Committee)

On Clause (1),

Hon. Sir MACKENZIE BOWELL—In order to provide for the two polling subdivisions to which my attention was called yesterday, Nos. 10 and 11, both divisions being composed of a part of the city and a part of the district outside of the city, the law clerk has so amended the bill that the clause will read as follows:—

For the purposes of the election to be held in the electoral district of Victoria, B.C. at the next general election, the returning officer shall forthwith, on the receipt of the writ of election, subdivide each of the present polling districts Nos. 10 and 11 in the said electoral district into a new polling district, so that the number of voters in such polling district shall not in any case exceed 200, and from the list of voters in force for each of the present polling districts Nos. 10 and 11 shall prepare and have printed for each of the new polling districts so formed a separate voters list.

The Senate will see that the amended bill provides that the number of voters in each polling district shall be 200 instead of 300; that is to make it accord with the Electoral Franchise Act as is provided in the second volume of the Consolidated Statutes. Section 23 reads:

Each electoral district or portion of electoral district shall be as nearly equal as may be, and shall not in any one case exceed 200, and so again, from time to time, as like occasion requires, using for that purpose on all occasions the then last revised and corrected list of voters in force under this Act. Then it still further provides that as soon as the number exceeds 300 then there shall be another sub-division of that polling district, and in order to make it as uniform as possible it was thought better to make it 200 instead of 300.

Hon. Mr. McINNES (B.C.)—The other day I drew the attention of the First Minister to the fact that both of those polling districts, Nos. 10 and 11, were partially urban and partially rural, and that three-fourths of the voters in each of those polling districts are urban voters. According to hon. gentleman's amendment, if it is adopted it will apply to the urban portion as well as to the rural portion. I think the clause ought to be amended so that it will apply to the rural portions of these districts and not to the urban, because it would be very inconsistent to have a polling place for every 200 votes in the city when there are other polling divisions there with 300 and 400 and 500 votes, and as I understood the other day—and I believe it is the law—the returning officer has the power of subdividing the city divisions without any Act of Parliament. I think the First Minister will see that it is best to amend the bill still further in order that it shall apply only to the rural portions of those two polling districts, and while I do not think it would be wise or prudent for the government to interfere in any other electoral constituencies of British Columbia, I may inform the Premier and this House that there is not a constituency in British Columbia that has not many polling divisions far exceeding the limit allowed by the law which has just been read to the House. However, it is too late, and I believe it would create confusion and be unnecessary to go into it now, but I hope the Premier will amend the bill so that this will only apply to the rural portions of those districts and not to the city portion.

Hon. Sir MACKENZIE BOWELL—If the suggestion made by the hon. gentleman were adopted, it would, I think, complicate matters much worse than they are. The point to which he has called the attention of the Senate was fully considered by the law clerk and myself. The difficulty is this: If you make the Act apply exclusively to the rural portions of the polling subdivisions, then you leave that portion which is within the city under the supervision of the returning officer, who is compelled to direct where each voter in the city shall go—or, in other words, in the cities they declare that the electors from A to say C or D, shall vote at such and such a place. Under this bill, you would leave those in rural districts to vote under the law providing for voting outside of the

city, which is simply an alphabetical voters' list. In that portion of the city, it would involve the re-arrangement of the voters' lists by directing what portion of the voters in that particular division should vote in the divisions which are within the limits of the city, and it was thought better to treat the whole of these two divisions precisely as if they were outside of the city limits; that is, dividing them into polling districts, and whichever district a man lives in, he could go to that poll and record his vote without being directed to go to one section of a polling subdivision, or another, as it might be alphabetically set apart. That was considered, and it was deemed advisable to adopt the principle involved in the bill. My hon. friend will see, when I read what I propose to add to the bill as subsection 2 of section 1, that it is to provide exactly for the objections which he has taken, only in another direction.

Hon. Mr. MACDONALD (B.C.)—My hon. friend forgets this part of the matter, that in the town the electors are close together, and there is no difficulty there at all. This is to overcome a difficulty in the country, to avoid having voters come a certain number of miles to a polling place.

Hon. Mr. McINNES (B.C.)—That is just my objection, and is substantially the argument that I have adduced. My argument is, so far as the civic portion is concerned, to leave them precisely where they are. There would be no difficulty at all by having one polling division in the city. If it was found that there are more than 300 voters, let there be two polling divisions in the rural portion. My contention is this: there is no necessity for dividing the city portion into lists with 200 names on them.

Hon. Sir MACKENZIE BOWELL—They could vote with less trouble.

Hon. Mr. McINNES (B.C.)—It would complicate matters greatly, and add materially to the cost of the elections when there is no necessity for it. Here are several polling districts carved out of this one polling district within the city limits, with only 200 names in each polling division, and others again with three, four, five or six hundred. The simple way would be to leave the city portion as one electoral poll-

ing district, and have one or more divisions in the country portion of these two.

Hon. Mr. McCALLUM—How many voters would you have in that polling subdivision?

Hon. Mr. McINNES (B.C.)—In number 10 there are at present 1,039 names, and in the other, 850.

Hon. Mr. McCALLUM—You do not want to poll them at one polling booth?

Hon. Mr. McINNES—Less than one-third of the voters presented themselves to record their votes at the recent bye election.

Hon. Mr. McCALLUM—Why?

Hon. Mr. McINNES—Because many of the names appeared four, five and six times on the same list. My contention is, to leave the city portion as it is at present, then divide the rural portions into as many polling districts as there are 200 names on the polling list. Three-fourths of the voters in each of these polling divisions are city voters, and the balance country voters.

Hon. Sir MACKENZIE BOWELL—The hon. gentleman suggests that the city voters should be left as they are at present. What position is that? They have to go outside of the city to record their votes—that is voters in subdivision Nos. 10 and 11. There is no polling place within the limits of the city: it is outside.

Hon. Mr. McINNES—It is only about a gunshot out.

Hon. Sir MACKENZIE BOWELL—It is beyond the jurisdiction of the city and they would have to go outside the city to record their votes. It is for the purpose of enabling the returning officer to make this subdivision in the city and allow city voters to vote in the city part of the polling subdivisions, and outside of the city to enable the rural portion of the voters to vote. That is the object of the bill and I think it accomplishes what the hon. gentleman desires, only in a different way. To adopt his suggestion would be to make a different arrangement for the voters who reside in the city and within the same polling subdivision, and another arrangement for those outside. It

simply gives the power to the returning officer to make such subdivisions, so long as the voters do not exceed 200, to accommodate the whole of the division.

Hon. Mr. MACDONALD (B.C.)—The Premier is quite right; the city voters have to go two miles out of the city to vote.

Hon. Mr. McINNES (B.C.)—The hon. gentleman is a little astray. From the centre of the town to polling booth No. 10. was about two miles, it is true, but the boundary of the corporation is within a gunshot or two of the Willows, and the first Minister must know that it is in the power of the returning officer to change the polling booths from any portion of the polling district to the most convenient place, and if my suggestion is adopted all the returning officer has to do is to place the polling booth in a more central portion of the city.

Hon. Mr. POWER—As I understand the proposal of the hon. gentleman from New Westminster, it is that the returning officer shall take the urban section of No. 10 and constitute that a new polling subdivision with a new polling place, and shall do the same thing with No. 11. and then that he shall take the rural portions of these two polling subdivisions and constitute each of them a polling subdivision. That is simple and seems reasonable, but after all it is a matter rather for the gentlemen in the other end of the building than for us here. Still, I think the plan proposed by the hon. gentleman from Victoria would have involved less expense than the scheme set forth in this bill.

Hon. Sir MACKENZIE BOWELL—Why?

Hon. Mr. POWER—Simply because although the number of names on the list is very large, yet, as the hon. gentleman pointed out on Friday, the votes polled in each of those sub-divisions constitute a very small proportion of the number on the list. I do not suppose the hon. gentleman proposes to divide the committee on that, but I wish to direct the attention of the hon. First Minister to the fact that two or three words have been omitted in the amendment which are to be found in section 23 of the Electoral Franchise Act. By the Electoral Franchise

Act, the officer is authorized to divide those polling districts so that the number of voters in the several polling districts in such electoral districts shall be as nearly equal as may be and shall not in any one case exceed two hundred. In this amendment you have omitted the provision that the number in the several subdivisions shall be as nearly equal as may be. I suggest that, taking the second amendment, we should make it read this way :—

So that the number of voters in each polling district shall be as nearly equal as may be and shall not in any case exceed the number of two hundred.

That would make it conform to the language of section 23.

Hon. Sir MACKENZIE BOWELL—I spoke to the law clerk about this point, and he pointed out that in the first draft amendment this was considered, but after considering the matter and consulting with those interested, he thought the simplest and easiest way to meet this particular case was as provided in the bill. I do not see that it can make any difference, because the power of the revising officer is one thing and the power of the returning officer is another. The revising officer did not do his duty in connection with this electoral district, and consequently it is necessary, in order to accommodate the voters, that this amendment should be made. Much stress has been laid upon the fact that so few voters recorded their votes at the last election. I made inquiry as to that, and am told that during the Dominion election it was very bad weather, and voters living ten and twelve miles away would not travel to the polling booth. That is the only explanation I have to offer.

The clause as amended was adopted.

Hon. Mr. OGILVIE, from the committee, reported the bill with certain amendments, which were concurred in.

The bill was then read the third time, under a suspension of the rules, and passed.

The Senate then adjourned.

SECOND SITTING.

The Speaker took the Chair at 8 P.M.

Routine proceedings.

The Senate adjourned.

THE SENATE.

Ottawa, Tuesday, 21st April, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

CONTAGIOUS DISEASES (ANIMALS) BILL.

FIRST AND SECOND READINGS.

A message was received from the House of Commons with Bill (95) "An Act to amend the Animal Contagious Diseases Act."

The bill was read the first time.

Hon. Mr. FERGUSON moved the second reading of the bill. He said: I may explain that this bill proposes very slight amendments in some of the sections of the Animals Contagious Diseases Act. It is simply to bring horses under the operation of this Act as well as cattle—putting them exactly in the same position with regard to inspection. It is well known to hon. gentlemen that we have now a very healthy and increasing trade in horses in the old country, and a disease that is known as glanders is found to exist in United States horses, and attention has been called to the fact that there is not that strict system of inspection prevalent in Canada of horses that are shipped from our country that there is in regard to our cattle; and as this trade is becoming important, it is desirable that we should endeavour to maintain the reputation of our horses as well as of our cattle for being free from disease. There is also a provision in the bill which relates to another disease, one that would lead to quarantine or restrictive regulations, in addition to those that are already named in the Act. It is called Antinomocosis. It is a disease popularly known as lump-jaw, and it is contagious. It is proposed to add that as one of the diseases, this part of the amendment will apply to cattle as well as horses. These are all the provisions in the bill, and I think hon. gentlemen will at once see the importance of putting our horse trade in the same position in regard to maintaining its reputation for health in the old country as we have been seeking for years to maintain for our cattle. It is important that we should pass

this bill, and as the session is so near its close, and the good object of the bill is so apparent to everybody, hon. gentlemen might consent to our advancing it the other stages. I therefore move that the bill be read the second time at length at the Table.

The bill was read the second time at length.

Hon. Mr. SCOTT—May I ask if horses for export have been subject to inspection before? They come within the provisions of the Act respecting contagious diseases.

Hon. Mr. FERGUSON—Not to the full extent.

Hon. Mr. SCOTT—And glanders is one of the diseases mentioned, and horses are subject to inspection, so that that would be an answer to the charge.

Hon. Mr. FERGUSON moved the third reading of the bill.

Hon. Mr. POWER—As the bill is one of very considerable importance, and as the members have not had an opportunity to read it, I think it would be just as well to let the third reading stand until the next sitting of the House. It is very possible that we may desire to amend it in some way, and no harm can be done.

Hon. Mr. FERGUSON—While agreeing to my hon. friend's suggestion, I may say that horses in the original Act are only included when specially mentioned, but in this case horses are going to, be put in exactly the same position as other animals.

Hon. Mr. SCOTT—In the interpretation section in the general Act, the expression "animals" means "cattle, sheep and horses only where specially mentioned," but I see glanders is one of the diseases mentioned.

Hon. Mr. FERGUSON—Yes, but not Antinomocosis or lump-jaw.

The third reading was allowed to stand until to-morrow.

THE GUARD PIER AT MONTREAL HARBOUR.

Hon. Sir WILLIAM HINGSTON—Some days ago I moved for papers relating to the harbour of Montreal and these papers have

been placed before the Senate and I have had an opportunity of examining them. I find that the statements which I made when moving for the return are not only fully confirmed, but that I had no idea of the almost severity of language used by constituted authorities in relation to that matter. I find that a report of a very stringent nature, was made by the Provincial Board of Health in which it records that, in the construction of the guard pier, measures were not taken to protect the health of the city; speaking of the difference in the condition of things which existed then and which exists now; that the stream is kept outside of the guard pier and the water inside is a still basin; speaking of the condition of the water in that basin as over-saturated with sewage; speaking of the men who work on the vessels as being victims of a low form of fever etc. These are not my words. I shall refrain from expressing an opinion on the matter, although I take a deep interest in all that relates to the health of the public. I find, also, a report of an equally stringent nature from the Local Board of Health speaking in very severe terms, regarding it as a menace to the public health, and again I find the expression of opinion of the medical profession in Montreal directing attention once more to the fact that the work is a menace to the public health and expressing their regret. My object is not to act as an obstructionist. Far from it. The pier is to give increased accommodation to the city of Montreal, and I desire that the harbour of Montreal should have increased accommodation, but all that could be obtained without injury to any one by a little attention to health matters. By the original plan there was to be no opening whatever—it was to be a closed basin. The government engineer steps in and asks that an opening of 3,000 feet be left. This has been cut down to 1,000 feet, and there is a conflict of opinion between eminent authorities, one contending that 1,000 feet is insufficient and the other that 3,000 feet is altogether too much. Three thousand feet is what the government desire, and that has been cut down to 1,000, an opening which has been found entirely insufficient. The water remains a still water basin and I see by the papers that recently the ice, in breaking up in that basin, remains like water lilies in a pond. Unhappily, in this matter there happens to be a contention between east and

west. I do not enter into that at all; the interests of both are to me the same. If the pier is properly constructed, the water of the harbour can remain as sweet as it ever was before. There are several methods by which this can be accomplished.

The guard pier was undertaken before the sewage was carried out into the rapid stream, and now that it is there, there are three ways in which it can be remedied; either to carry the sewage out beyond the guard pier several hundred feet, or to introduce an additional supply of water from above, or to carry the sewage down below the city altogether. My object in drawing attention to it is this, that the government engineer, who displayed a great deal of intelligence in this matter, should continue to give it his attention, so that in his conference with the harbour commissioners of Montreal and the engineers, due regard will be paid to the sanitary interests of the city, which to my mind are suffering, and are likely to suffer still more in the future. That is the only purpose I have in bringing it before this hon. House.

THE LIBRARY OF PARLIAMENT.

REPORT OF COMMITTEE ADOPTED.

Hon. Mr. POWER moved the adoption of the first report of the Joint Committee of both Houses on the Library of Parliament. He said: There is very little in the report of the Library Committee. It recommends the purchase of fifty copies of "Les Etats-Unis, Origine, Institutions, Développement," by A. D. De Celles. The work in question is admirably written, and it has one recommendation which these works have not always, it is very cheap. Then the committee recommend that a grant be placed in the estimates, to be at their disposal, for the purpose of encouraging, by purchase for library exchanges, such works of Canadian writers as may be deemed worthy of such recognition. The object of inserting that provision in the report is to secure in a better way the recognizing of native literary merit. At present, if the Library Committee wish to do anything of that kind, they have to deduct the amount which is to be paid for that purpose from the very small sum placed at their disposal for the purchasing of books to keep the library up to date, and the committee think that that practice should cease, and that, if it is the

desire of parliament to encourage native writers, there should be a specific sum voted by parliament for the purpose, and placed at the disposal of the Library Committee, to be used for that purpose alone; so that the primary object of the grant to the library shall not be defeated as it is now. The only other item in the report is that a sub-committee has been appointed to audit the accounts. The committee is to meet tomorrow morning for the purpose of receiving that report.

Hon. Mr. MACDONALD (B.C.)—What will be the cost of the fifty copies of Mr. DeCelles book?

Hon. Mr. POWER—One dollar and a half each.

The motion was agreed to.

The Senate then adjourned.

Second Session.

ANIMAL CONTAGIOUS DISEASES ACT AMENDMENT BILL.

THIRD READING.

Hon. Mr. FERGUSON moved the third reading of Bill (95) "An Act to amend the Animal Contagious Diseases Act."

Hon. Mr. ANGERS—As we are dealing with the Animal Contagious Diseases Act, I take advantage of the opportunity to refer to the regulations adopted by the government to regulate the shipping of United States cattle from the port of St. John. The other day I strongly approved of the steps which had been taken as supplying traffic to St. John and freight to our railways. I had understood that one of those regulations provided that whenever United States cattle were shipped in transit, in bond, no Canadian cattle should be allowed on the same vessel. The reason for that will strike you immediately. It is this; we do not warrant the healthiness of United States cattle. True, they are inspected, but that inspection is not preceded by a quarantine of ninety days. They come in transit, and in bond, and disease may affect them that would not be detected in a simple inspection. Now, if

Canadian cattle were allowed on the same vessel, although perfectly healthy, during the passage, being in contact with United States cattle affected with some disease, they would be subject to infection, and when they reached England the question would arise which of the animals originated the disease. Of course, our neighbours, having perhaps a louder voice than ours, would charge us immediately with the origin of the disease in our own cattle. It would be consequently putting our cattle on the same footing as the United States cattle. It is therefore most important that we should not allow sheep which would take scab, from United States stock, nor swine, nor cattle to be shipped on vessels that carry United States stock to England. We have at present an advantage over our neighbours in the market in England, for our bacon, ham and pork, owing to the fact that the animals of this country are perfectly healthy. They bring a better price per pound, because they are not subject to any disease, but if we allowed our own animals to go across with United States animals, they would take the disease on the trip and we would lose this advantage in the English market.

Hon. Mr. McCALLUM—It would give us a bad name.

Hon. Mr. ANGERS—Yes, give us a bad name. Now, my impression was that this provision had been made in the regulations. There are eight regulations to be observed for the shipping of United States cattle from the port of St. John, or any other port which may be established, but a ninth one, which I suggested and thought was in force the other day, is not yet enacted, but I have the pleasure of informing the House that I have received a communication to-day from the hon. Mr. Montague, Minister of Agriculture, stating that the government will, without any delay, enact that ninth regulation which will provide that no vessel shall carry United States cattle and Canadian cattle together.

Hon. Mr. MACDONALD (B.C.)—It does not refer to quarantine?

Hon. Mr. ANGERS—No. Those regulations do not apply to quarantine at all. They only apply to the transit of United States cattle over our country.

Hon. Mr. McCLELAN—My attention was called to this subject by the ex-Minister of Agriculture the other day. I misunderstood an expression of his, because I inferred from what he said that that was now the regulation, but, subsequently, in private conversation with him, I learned that he intended to say, and did say, that it had been the regulation during his tenure of office, and that he did not know what the recent changes were. Hence, I was anxious to see what the present regulations might be, and at my request the hon. member who acts, in this Chamber, for the Minister of Agriculture has kindly brought down a subsequent return, the Order in Council, and the regulations under it, which do not provide in that way against mixed cargoes, but does provide, in case an insufficiency of cargo occurs in shipping United States cattle, if the balance be made up of Canadian cattle that they shall be marked in the same way as United States cattle, and will be classified and sold as United States cattle. That measurably is a remedy, and it certainly is some precaution against Canadian cattle getting a bad name in the English market. At the same time there might be some hardship on the part of Canadian shippers in being compelled to have their cattle classified in that way. I am very glad the subject has been brought up again, in order that we may understand exactly the position of the Canadian shippers in this regard.

Hon. Mr. DEVER—It affords us all pleasure to hear the opinions expressed by the ex-Minister of Agriculture. Evidently from his remarks he is thoroughly acquainted with all the requirements of the shipment of cattle from Canada. It would appear that he is so competent that there is hardly any requisite that has escaped his observation. While in office he established a system by which our cattle will be examined in such a manner that no disease can possibly exist amongst them as they are being shipped. There is just one point that I thought it possible he did not perceive; when United States cattle are shipped from our ports, fearing that they might be infected with disease they have been kept separate and not shipped on the same vessels with Canadian cattle. That is a precaution, I admit, but must we not go a little further and see that United States cattle shall not be admitted into our country if they are likely to carry

contagion with them. What is to prevent contagion spreading among our cattle if United States cattle are permitted to go into the sheds, or on the wharfs, where our cattle will probably the next day be housed? In my opinion that is a danger that should be looked after very carefully, and it is essential that the other point also should be attended to that no United States cattle should be permitted to come into our country until they are examined by our own scientific men. I do not know exactly what description of men the government have in their employ at the port of St. John. I know a gentleman there who professes to be a veterinary surgeon. He is a man of ability, but whether he is sufficiently qualified to thoroughly and carefully examine cattle, so as to avoid the possibility of shipping any which might be more or less infected with disease, I am not prepared to say. It is essential that our present Minister of Agriculture should exercise the greatest care to see that no cattle in transit from the United States should be permitted to even enter our sheds or stables at the several ports from which we ship our own cattle. That is an essential that every medical man must know we should keep in mind. If this precaution be always taken, in my opinion our cattle will get a reputation for being sound and nobody, not our greatest opponents at any time, can assert that there is the slightest possibility that live stock shipped from the ports of Canada can carry disease to the ports of England. If this precaution be observed I do not see that we have any reason to complain. From the speech made by the ex-Minister of Agriculture, it is quite evident that he had all those points in his mind's eye. I am not prepared to say, nor do I know, whether our present Minister of Agriculture has the same experience. I presume he has, but at all events, we have no complaint from the port of St. John, setting forth that any diseased cattle had been shipped from there so far. I trust that the same, or possibly more precaution will be exercised in the future, so that no cattle of any description can possibly be shipped from our country if infected with any disease.

Hon. Mr. FERGUSON (P.E.I.)—This subject has been ventilated on several occasions in the Senate. It is certainly a very important one and deserves all the

consideration we have given to it. I may say, with regard to this and kindred subjects, that my hon. friend is a little in error when he says I am acting Minister of Agriculture. The Minister of Agriculture is in Ottawa himself, and is attending to his own duties, and during his absence in England the hon. Minister of Finance acted as Minister of Agriculture. My duty has been, as a member of the government, to do what I could to facilitate the business of the department in this House. I am not in the position that I would occupy had I been initiating the different actions of the department. In that case, I would be in a very different position in discussing these matters in this House. When, however, the matter of shipping American cattle to St. John first engaged the attention of the government, it was under these circumstances: St. John had been adopted as a winter port. A line of steamers had been subsidized, and a remarkable development of trade set in in that direction. It was soon found, however, that the lines of steamers that had determined to make St. John their port of departure and landing in Canada, found themselves beset with quite a difficulty in the matter of getting cargoes, of cattle. At that time of the year Canadian cattle were not generally in a condition fit for shipment. This was early in January. United States cattle, coming from a more southerly climate, were in a better condition; larger numbers of them were ready for shipment, and it was only by being enabled to bring United States cattle forward and ship them on these steamers going from the port of St. John, that a satisfactory trade could be carried on. At that time it appeared almost hopeless to secure a renewal of the privilege that we had enjoyed in former years, of sending cattle alive into the English market. They were being scheduled, and in view of the great importance to Canada, and to our railways that this winter port experiment should get at least fair play, it was considered, in the interests of the whole country, and of the port of St. John and the railways and the business of Canada generally, that every facility should be furnished for the shipment of United States cattle during these months when Canadian cattle could not be got to make the deck loads. When this Order in Council was passed, regulations had already existed with regard to the transit of United States cattle in bond through

Canadian territory on Canadian railroads. These regulations, providing for the inspection of the cattle and the disinfecting of the cars in which they were carried—all the provisions which guarded and hedged in the cattle of our own country against infection from United States cattle passing from one point in the United States to another, were applied to the moving of United States cattle on the Short Line Railway or other railways of Canada in order to bring them to the steamers at St. John. A difficulty presented itself, as I have learned from the Department of Agriculture, from the fact that it was in the depth of winter, that there were not suitable yards in St. John in which the United States cattle could be kept separate from the Canadian cattle and it was not considered advisable that they should be allowed to be herded together at St. John, for if there was any infection, it might be communicated to our cattle. To get over that, and run the smallest possible risk, arrangements were made, and still exist, to prevent these cattle being herded in St. John at all. They have been brought in the cars and put from the cars direct on the steamers, and should any cattle be found to be sick—not with infectious disease, for I think there has been no such case as that found—but in any way unfit, through receiving injury or from illness during transit, for shipment they have been sent back to the State of Maine and herded in the United States. Provision is now being made for yards at the port of St. John in which these United States cattle, should they be brought down before the steamer is ready to receive them, can be kept entirely apart from Canadian cattle until they are shipped. A great practical difficulty occurs in the matter of shipping them in the steamers. I know that very serious difficulty occurred there, because if you insist that only Canadian cattle shall go on a certain steamer, and only United States cattle on another steamer, it will require concerted action on the part of the steamers and the railways and the shippers in order to hold Canadian cattle until a vessel is ready to receive them, and in the same way United States cattle must be held, or the alternative resorted to of these cattle being yarded at very great expense at St. John, awaiting the arrival of a steamer to carry them. It is a very serious practical difficulty. To-day I had a conversation with the Minister of Agriculture

about it, and I tried to impress upon him the importance of making every possible restriction consistent with allowing this important trade to be carried on from our own ports and in our own steamers, and my hon. colleague assured me that everything that was possible was to be done in order to carry that out. At present United States cattle, and Canadian cattle do go forward in the same steamers. That is their only point of contact, when they are put on board of steamers and go forward, but on the other side they are all marked and entered as American cattle; so that if at any time as sufficient number of United States cattle do not go forward to make a complete deck load for a steamer, and the shippers buy Canadian cattle, either on the spot or at some other point, in order to make up the deck load, the cattle are all entered on the other side as American cattle. Of course the difficulty arises in that connection, that if any serious contagious disease should be found to exist amongst them on their arrival in England, the fact that they were a mixed cargo, part Canadian and part United States, might have some effect in strengthening the position of those in England who are labouring to keep our cattle out of that country.

Hon. Mr. DEVER.—Hear, hear.

Hon. Mr. FERGUSON.—There is no doubt about that. If such a disease were found to exist among cattle, it would, perhaps, cause a great deal of trouble to trace them back to the different herds, or the different parts of America from which they came, in order to fix the odium of having the infectious disease on those to whom it rightfully belongs, but there is this to be remembered in connection with that—first, bear in mind what the ex-Minister of Agriculture has said, that the present Minister of Agriculture has promised to give the matter his earnest attention, and to make such restrictions as will most effectually guard the reputation of our cattle. In addition to this, we are bound to admit, in all fairness, that the United States herds of cattle are about as free as our own from contagious diseases. At the time when United States cattle were scheduled in the British markets and ours were privileged, I watched the course of the discussion and was forced to the conclusion that there was not much,

if any, ground for the difference made in favour of our cattle. I do not think there is, at present, much more danger to be apprehended from United States cattle than from our own. However, we are not responsible for the health of the cattle of other countries, and we have not the power to look after them as we do after our own. That being so, the duty devolves upon the Department of Agriculture, not only to preserve the health of our cattle, but to preserve their character for healthiness in the world. I feel sure that everything that can be done is being done to allow this very important trade to go on.

Hon. Mr. McCALLUM—Of course it is a very important question; no more important question has come before this House. When my hon. friend tell us that the department will take all the precaution possible, I think we should not hesitate about a little expense in the matter. In speaking the other day, my hon. friend from Shell River said that Sir Charles Tupper had stated that if our cattle arrived in England on a Canadian vessel they were classed as Canadian. I replied that I did not care what Sir Charles Tupper had said, but it appears to me now that my hon. friend is right. If our cattle are put on board of a vessel with the United States cattle, when they arrive in England, they enter there as American cattle. Then, how are you going to tell what amount of cattle we export from this country? Who keeps it? We do not know anything about that. My hon. friend tells us that they have taken all the precautions they could take, and that they yard them apart; but what is the use of yarding them apart when you put them all on the same vessel? Keeping them apart for a little while would make no difference. If you put them on the same vessel they are not separate there, and if there is disease in the United States cattle, our cattle will catch it.

Hon. Mr. FERGUSON—Once the yards are completed it will then be possible to keep them separate and make different shipments, which we cannot do at the present time.

Hon. Mr. McCALLUM—I can say to my hon. friend that the sooner they keep them separate the better for the people of this

country, because it has been known, and it has gone out now, that American cattle are altogether clean. Of course there is no disease amongst our cattle and we should have credit for all that we ship ourselves. Just see how it would be supposing a vessel arrives in England with United States cattle on board and they are classified as Canadian cattle on their arrival; we will be credited with them, and if there is disease among them we will be prevented from shipping at all. I am very glad that this question has come up. We cannot be too careful. I am glad to hear the hon. minister's statement to-night, and I hope, from this day forth, that our cattle will not be shipped in the same vessels with United States cattle going to the markets of the world. They should be carefully kept separate. Merely keeping them separate in yards and then putting them on board the same vessel, does not amount to anything. My hon. friend, the ex-Minister of Agriculture, gives us the assurance that the present Minister of Agriculture is going to see to that at once. They cannot do it too soon. The sooner the better for the interests of Canada, because cattle raising is a very important industry in this country. There are plenty of them all over the country ready to ship, and we do not wish to export them as United States cattle.

Hon. Mr. BOULTON—We may all feel pleased at the attention this subject has been receiving at the hands of parliament in both Houses, because, as my hon. friend from Monck says, it is a very important question. I am very glad to see that, since the debate here on the 8th April last, the British Government have reconsidered their determination to put the Long Bill through this session, and, if the telegraphic despatches are to be relied on, the bill is to be withdrawn for the present. That is a great concession to Canadian farmers, and I believe it is due to the attention we are now giving to a question on which it is absolutely necessary for us to dwell in order to assure the British authorities that every precaution will be taken by the Canadian authorities to prevent any diseased cattle entering into their country. The question of shipping United States cattle is one that is surrounded with a certain amount of difficulty. It is a trade that is valuable to our carrying trade, but the shipping of United States

cattle is carried on, I think, by our own Canadian buyers. When the stock of Canadian cattle for shipment to Europe is exhausted, they go to Chicago and other western markets where cattle are collected for sale. There they carry on their trade, and those who are shipping cattle across to England are not United States buyers but Canadian buyers. To that extent they are under the control of Canadian authorities, and when they come to understand that the farmers of Canada must be protected to the utmost in the conduct of this trade, they will themselves see the necessity and be able to regulate it so that the British authorities can be thoroughly assured that we are taking every precaution to prevent anything like contagious diseases leaving our shores. Whether the precautions are sufficient by having yards in St. John and inspection there I cannot say. I have no doubt the attention that the government will give to it, knowing the importance of the trade, will be ample. Whether these cattle should be inspected at the port of entry into Canada or not is a question for the government to decide, but I am gratified to learn that the British government feel that in consequence of the attention that our Canadian authorities are giving to the subject they can postpone at any rate the consideration of the bill which was to permanently exclude our cattle and thus hamper a valuable trade, and a trade that we may justly call natural for our Canadian farmers—that is the sending over of our grass-fed cattle for sale in the British markets to the farmers who will finish them off for sale there. We are able in Canada to produce first-class beef, as good beef as the best that goes into the English market. We can receive the top price for it, and as the hon. member from Compton said the other day, it will probably make a difference of from three to five dollars a head in all our shipments in being able to sell those grass-fed cattle for feeding purposes.

Hon. Mr. COCHRANE—Not only the grass-fed cattle, but the finished cattle. It makes a difference of from three to five dollars a head if the small butcher in England can buy the animal and take it to where he sells meat in the interior of the country.

Hon. Mr. BOULTON—I am glad to receive this information from a gentleman

whose large experience renders his testimony so valuable. The fact that the right to send our cattle into the interior of the country is so valuable shows the necessity of extending our precautions against disease, not only through the efforts the Dominion Government themselves put forth, but also by the action of our provincial authorities. The farmers of Quebec, of Ontario and the Northwest Territories require to be on the alert. Our distilleries feed a large number of cattle, and if a hundred or two hundred head are put up in a stable, they require to be watched and properly inspected before they are finished off for shipment. By taking these precautions, we will retain for ourselves and for the Canadian farmers and feeders an exceedingly valuable trade which will ever be on the increase. It is a trade that is worth making every effort to retain, on account of our being able to raise the class of animals which would bring the highest price for meat in the English market if we only pay strict attention to maintaining the high class breed of animals for the purpose.

Hon. Mr. COCHRANE—I am very glad to hear that the government proposes to make stricter regulations with reference to United States cattle going through our country, but why was not that done in the beginning? Was it because it was more important to get traffic for the railways and business for the men who shipped the cattle? They should have in the first place taken that into consideration when we are pressing so hard in England to get that restriction removed. The hon. gentleman from Shell River seems to take a great deal of comfort from the fact that the Long Bill has been put off a little. I have not much confidence in that. I do not think it will ever be taken off. What we have been allowing to be done is going to work very much against us. The parties on the other side who are anxious to keep up the restrictions and prevent our cattle being distributed in England after they are landed, will make all they can of that. The Canadian Government has been allowing United States cattle to be shipped on the same vessels as our own, and it is now like locking the stable after the horse is gone. That should have been done in the beginning instead of having consideration for helping St. John and the shipping and the railroads. They should have said we will wait until we get the proper yards

and make all the restrictions. We are now going to do it, but in my opinion it is too late. It may possibly help some, but that should have been done before United States cattle were ever allowed to go as they have been going from our ports.

Hon. Mr. MACDONALD (B.C.).—Does the hon. gentleman consider it a wise and honest transaction to allow Canadian cattle to be branded as United States cattle, and shipped in that way to England? My own opinion is, it will lead to confusion—it is a subterfuge, and is not an honest transaction. I think the minister himself sees the danger of doing that, because we cannot trace the infection properly when it occurs. I hope he will report against anything of the kind being done. If that applies on one side, we might take United States cattle to make up a short cargo of Canadian cattle, and in that way get the whole thing mixed. If you allow it to be done, it will be discovered in England, and will damage the market for Canadian cattle there. I ask the hon. gentleman if he thinks it is a fair and wise transaction to allow cattle to be shipped in that way.

Hon. Mr. COCHRANE—It looks to me a very weak arrangement when we have been obliged to put Canadian cattle with United States cattle to ship them, and simply have them branded or sold as United States cattle on the other side. Should any disease break out among them no intelligent man, who knows anything about the business, would suppose for a moment that the English authorities would not know whether they are Canadian or United States cattle? They know when they land there whether they are Canadian or mixed. I do not think it is the right thing to do.

Hon. Mr. DEVER—There seems to be a confusion between United States cattle and our cattle. I do not see why there should be any confusion. If the cattle of both countries are healthy when they are being shipped, I do not see that we have any right to exclaim against United States cattle going through our ports. On the contrary, we ought to encourage the trade. There should not be any prejudice on our part against United States cattle. If they are inspected in the same rigid way that our own cattle are inspected, I do not see what

danger there could possibly be in having United States cattle go from our ports. It is only necessary to have a complete inspection of both classes of cattle before they leave our shores. Then if disease breaks out, we have a right to accept it on behalf of the United States cattle just as well as on behalf of our own. It must have been developed on board the ship, and therefore is no more to be attributed to the United States cattle than to our own. As long as both are sound when they are shipped, there cannot be a complaint.

The motion was agreed to and the bill was read the third time and passed.

THE RESIGNATION OF COLONEL HAMILTON.

INQUIRY.

Hon. Mr. BOULTON—Before the House adjourns, I should like to ask a question of the Minister of Militia with regard to the position of the resignation of Col. Hamilton of the Queen's Own. It has occupied a good deal of attention in the press. I quite understand that a forced resignation of a commanding officer must be distasteful to him, and if there are not sufficiently good sound reasons why it should be a forced one it is proper to ask what the grounds were for requesting his resignation. The question of the command of our Militia is one of great importance. In the British service for the last twenty-five years it has been found necessary to curtail the term of service of an officer. An officer cannot command a regiment now longer than five years, unless there is a reappointment.

Hon. Mr. McKAY—Would the hon. gentleman state under what rule he is making his speech?

Hon. Mr. BOULTON—I am asking a question.

Hon. Mr. McKAY—The hon. gentlemen rose to ask a question; he is making a speech now.

Hon. Mr. BOULTON—I have to explain the question. The session is drawing to a close, and the Minister of Militia is in his seat. Probably the question has been before him, and, if he does not object, I merely

wish to give the reasons why I was making my remarks.

Hon. Mr. PRIMROSE—Is the hon. gentleman aware that Col. Hamilton has, in fact, resigned?

Hon. Mr. BOULTON—I was not aware that Col. Hamilton had resigned. The object of my question is to ascertain exactly the position in which the matter stands. I will cut my remarks short, and ask the Minister of Militia if he has any opinion to give on the subject.

Hon. Mr. DESJARDINS—If it is in order to answer, I wish as briefly as I can to place the matter before the House. I know there has been a little excitement over what has occurred in the Queen's Own lately, and I am very glad that the hon. gentleman from Shell River has given me the opportunity to explain the position so as to set at rest some accusation of harsh treatment brought against the government for what they have done. No one can acknowledge more than I do myself the onerous and responsible duties that a commanding officer of a regiment has to perform, and the necessity of treating him as fairly as possible, but, on the other hand, the Department of Militia has to look to the efficiency of the corps, and it must do everything that can possibly be done to maintain their efficiency and prevent any cause of disruption in an organization of that kind. We must realize that persistent difficulties between the commanding officer and the other officers of the regiment would bring such a result. Expecting that some such inquiry might be made, I have with me the correspondence which took place and which will show, as against what has been said elsewhere, that Col. Hamilton had not been given an opportunity to answer the reports against him—I have the correspondence which will prove that, on the contrary, he has had an opportunity to answer and that a careful and impartial inquiry has been made by the Deputy-Adjutant General of the district to which the Queen's Own belongs. The troubles in that regiment are not recent—unfortunately they existed before December last, when the difficulties between the officers and the commanders were the occasion of many comments in the press. It reached a climax when the ser-

jeant major thought it his duty to resign. That was in December. In February he wrote to the department to this effect:—

The whole trouble is the commanding officer, Col. Hamilton. He treated me very unfairly, but I would have left as others had done and let the matter drop had it not been that the whole regiment is being thoroughly disorganized by his recent actions. The officers of the regiment at their last meeting on Wednesday, the 5th February, refused to support him in any way, refused to act on any committee and the principal ones have told him at the regimental meetings that the best thing that he can do for the good of the corps is to get out of it, but he will not take the hint, however broadly given. For a year past he has treated the sergeants most unjustly, has broken his promises many times, and in regard to important matters has both told me and written me what was not true. Some time ago he gave me a written agreement to resign at a certain time, but when the time came he refused to keep the promise given to the officers of the regiment and that is why in a great measure they are almost all against him, &c.

Hon. Mr. AIKINS—Who is the writer of that letter?

Hon. Mr. DESJARDINS — Sergeant-Major George.

Hon. Mr. LANDRY—To whom is it addressed?

Hon. Mr. DESJARDINS—To the commanding officer, Major General Gascoigne. Of course, the latter was not inclined to act on that simple letter. He had seen what was going on, and he had been privately informed as to the exact nature of the things that were mentioned in Sergeant Major George's communication. So he asked Col. Otter to inquire, and here is the result of the inquiry as made by Col. Otter. There were two accusations brought against Lt. Col. Hamilton, first as to his management of the finances of the regiment, and, secondly, as to the trouble existing between himself and the officers. This is the report from Col. Otter to the Adjutant General of Militia in Ottawa:—

I have the honour in accordance with instructions contained in your letter of the 17th instant, to report upon the statement made by H. M. George, late Sergeant Major Queen's Own Rifles, in his letter of the 14th instant. The allegations of Mr. George are practically correct, save as to the improper disposal of the government grants, this is incorrect as the cash statements of the regimental funds will prove. Respecting the other statements, I have for four or five years past been aware of an increasing and widespread dissatisfac-

tion in the battalion, particularly among the officers and non-commissioned officers in connection with Lieut.-Col. Hamilton's administration, but nothing has yet been done by that officer that can be used upon which to found a military charge. In the matter of efficiency the battalion has been up to the present time fully up to the mark, though this has been principally due to the "esprit" of the officers commanding companies. That Lieut.-Col. Hamilton has not had the confidence of his officers and men is most apparent for a long time past, and so far as I can learn the desire on the part of those most interested in the corps is most strong for his retirement; this is very marked upon all occasions, when opportunity occurs for the exercise of civil rights if they may be so termed, such as meetings for the disposal and management of such funds as are voluntarily subscribed by the officers, which from reports received have been most unseemly. Two of such meetings have already been held this month at which there has been a dead lock between the commanding officer and his officers, the latter declining to serve upon any committee or accept any responsibility in the conduct of matters pertaining to such. A third meeting has yet to take place, when a motion to cease all subscriptions for regimental purposes by the officers is to be discussed with the certainty of its being passed almost unanimously. Such a contingency of course, means the abolition of the band, mess and different adjuncts necessary to the proper efficiency of a corps. The objection to Lt.-Col. Hamilton seems to arise from his insincerity, his business and social standing and lack of administrative ability to conduct the business affairs of the battalion which it is contended is getting deeper into debt each year, so far as his knowledge of his drill and ability to have his battalion on parade are concerned, no complaints are made. The situation is a peculiar one and somewhat difficult to handle in its present form, there being the danger of arousing the cry of military or political persecution. Under the strong adverse feeling, shown on the part of both officers and men most commanding officers would resign, but Lieut.-Col. Hamilton seems determined not to take such a course, while his officers, on the other hand, seem equally determined to force such action from him, both parties being careful not to commit any act that can be construed into a breach of discipline or of the regulations. To me, the matter has for a long time been a most anxious one as seriously affecting the welfare of one of the best corps in the country. I have pointed out to Lieut.-Col. Hamilton on more than one occasion the feeling that was being shown towards him as well as the danger its existence and prosecution was to the efficiency of the corps, but his reply has always been that it arose from one or two officers only, while the splendid musters and general appearance of the battalion proved that his administration was all that could be desired. I cannot recommend or suggest any action in the case at present, but am waiting and watching further developments. From this report, however, the Major-General commanding may take a different view of the situation to mine, and see the way clear to a solution of the difficulty which to me is not yet apparent.

Upon this the general wrote to Col. Otter and said :—

Be good enough to send me a full account of the proceedings of the annual meeting of the 2nd Battalion Queen's Own Rifles as soon as possible after the meeting has been held.

And then Col. Otter, who had been in communication with Lieut.-Col. Hamilton at the same time, sends this :—

Pending information you asked for I forward a letter from Lieut.-Col. Hamilton upon this subject just received.

Hon. Mr. BOULTON—May I ask if the hon. Minister knows what position Lieut.-Col. Hamilton occupied on this committee of business management?

Hon. Mr. DESJARDINS—I understand he was one of the members, because I see in the extracts from minutes of the annual meeting, that he was there, as will be shown hereafter. There was first a letter from Lieut.-Col. Hamilton dated 24th February, making a general allegation. That letter I have not got here, but if the hon. member would like to see it, I shall have it for him. Col. Hamilton writes under date of the 3rd March :—

I have the honour to supplement my statement of the 24th ult., in regard to the conduct of several officers of the regiment under my command by the following : After Mr. Mitchell had ceased to be treasurer of the regiment, several amounts were paid into his hands on account of fees due by officers. The sum total amounted to about \$100, and this sum Mr. Mitchell, without consulting me on the matter, deposited in the Dominion Bank to the credit of our over-draft. Yesterday when our bandmaster and regimental caretaker applied for their monthly salaries, I at once called on Mr. Mitchell, and asked him to hand over whatever cash he might have on hand. To my amazement he replied he had deposited all moneys as above. This action I consider is clearly another proof that certain officers are determined to damage the financial credit of the regiment as much as possible, and I have the honour to urge upon you the importance of early attention being given to my complaint of a week ago, so that the efforts of those who seem determined to "rule or ruin" shall not be successful.

And he writes another letter complaining that the deposit of those moneys, the private subscription of the officers, by Mr. Mitchell, the treasurer, into the bank was against his own wish and he says :—

Yesterday I asked the late treasurer Mr. Mitchell to hand over to me all money in his possession or that might be deposited to the credit of the suspense account of the regiment. He stated he could not do so, as two or three senior captains to whom he had spoken had told him to retain these

monies in his own possession. I said "then you prefer to take their orders instead of mine?" He then asked me to excuse him for a few minutes, I left his office. On his return, about five minutes later he said he had telephoned to two or three senior captains and they told him not to hand the monies over to me, but to hold them in his own name as they claimed these monies could only be used on a note of the officers. I at once gave Mr. Mitchell the following instruction in writing:—

W. G. MITCHELL, Esq.,
Lieut. Q.O.R. Toronto.

SIR,—I hereby authorize and instruct you to hand over to me before 12 o'clock noon to-morrow, Wednesday all the monies now deposited in your name to the credit of the suspense account of the Q.O.R., of Canada.

This is what Col. Otter says:—

According to the standing orders of the Q. O. Rifles, the Sec.-Treasurer is justified in not making payments without the sanction of the Finance Committee.

The Finance Committee was opposed to any money being given, so according to Col. Otter's own statement, the treasurer was justified in refusing. Here is another letter from Col. Otter on the 27th February:—

I have the honour in reply to your memo of 25th inst., respecting the meetings recently held by the officers of the Q. O. Rifles, to report that without having actually seen the minutes of these meetings I am able to give a rough statement of the proceedings thereat, obtained from a very reliable source. At the first or regular annual meeting on the 5th instant, considerable discussion took place over the financial state of the Battalion, and when it became necessary to elect the various committees required, great difficulty was experienced in obtaining officers to accept places on these committees, those on the Band Committee could not be obtained at all, while the vacancies on the Finance Committee were filled by junior officers, and ultimately the senior of the three elected resigned from this office. A special committee was appointed composed of a field officer and two captains to report upon a scheme for the improvement of the finances of the corps. This meeting then adjourned, after a session of nearly five hours. At the adjourned meeting, held upon the 19th inst., the special committee on finances suggested two or three schemes to meet the emergency, none of which, however, met with approval. Then a resolution was proposed by the two senior captains to the effect that no subscription should in future be paid by the officers nor should their annual drill pay be turned over to the regimental fund as has hitherto been the custom; this motion Lieut.-Colonel Hamilton very properly, I think, refused to receive as any but a notice of motion, demanding as it did so radical a change in the administration of the affairs of the corps. This meeting then adjourned after nearly four hours duration. Following this meeting some four or five officers, whose names had been upon a bond given the Dominion Bank as security against over-drafts, withdrew their names from such bond, and the bank then

refused to honour any cheques made by the secretary-treasurer unless funds to meet them were actually deposited. At this meeting, held on the 24th instant, the commanding officer proposed the discussion of ordinary business matters which it was necessary to settle, but the mover of the resolution respecting the abolition of subscriptions, etc., brought forward by him at the last meeting, asked that this should now be discussed. To this Lieut.-Colonel Hamilton declined to consent, stating that it could not be brought up until it was made a notice of motion, and time given for it to be considered. This decision produced a dead-lock, as the officers declined to produce other matters, and the meeting adjourned *sine die*. Thus the matter now stands with a more bitter feeling than ever between the commanding officer and his officers; it is strongly denied by the latter that there is any combination whatever, but as they have no confidence in Lieutenant-Colonel Hamilton, and as they furnished the funds to keep up the band, &c., they claim a right to cease these payments if they choose. I can get you copies of the minutes if necessary, but the above gives, I think, a fair synopsis of the situation.

(Sgd.) W. D. OTTER, Lt.-Col. D.A.G., M.D.

After having received the above documents and carefully inquired into and ascertained the exact position, seeing that unless there was a change it meant the disruption of the battalion, the General addressed to me the following report, dated March 5th.

I regret to say that my attention was called indirectly some short time back, to the unsatisfactory condition of things existing in the Queen's Own Rifles of Canada, at Toronto. I therefore write, confidentially, to the Deputy Adjutant General, No. 2 District, instructing him to furnish me with a full report on the subject. This report is attached, dated February 22nd. It is ably and dispassionately written, and I think, contains the full explanation of everything, namely, that for a long time past the commanding officer of the corps has ceased to enjoy the confidence of his officers. As I was aware that I should get further matters on which to take action, I waited before bringing the matter to your notice; but now the commanding officer has brought the question before me officially, and I think the time has come when I should lay my opinion before you. I am all in favour of supporting a commanding officer to the utmost in all matters affecting discipline, and the last thing I should desire, would be to encourage a cabal, or combination, raised by officers against their superior officer. But I also recognize that, especially in the case of voluntary military corps, the first and most vital necessity is, that the commanding officer should gain the confidence of those under him. When he fails to gain this confidence, I look upon his retention of his command as injurious to the interests of the regiment. Lt.-Col. Hamilton does not enjoy the good will or confidence of those under him, therefore I think he should make way for some officer who would be found to succeed in this respect. I recommend, therefore, that Lt.-Col. Hamilton be asked to retire, and be informed that in the event of his declining to retire volun-

tarily, his retirement will be carried out nevertheless.

W. J. GASCOIGNE,
Major-General Com. Canadian Militia

Here is the position, hon. gentlemen, I did not know anything of Lt.-Col. Hamilton's political proclivities, but I had this report which said that unless there was a change at the head of that important corps there was a danger that it would be disbanded and I could not do otherwise than uphold the position taken by the general and approve of his report.

Hon. Mr. SMITH—If he did not resign would he have retained his rank?

Hon. Mr. DESJARDINS—If he did not resign voluntarily, I think he would. As Col. Otter says, there is nothing to make him amenable to any accusation or any court-martial. The main thing is this, that he has survived his efficiency in the corp.

Hon. Mr. LANDRY—His usefulness is gone.

Hon. Mr. BOULTON—I am glad to have the explanation which the hon. Minister of Militia has given us, and the reasons for the action that has been taken. I was under the impression that it was on account of his length of service and a desire on the part of the junior rank for promotion in the regiment. I find it is another matter altogether, and that, so far as Col. Hamilton's military reputation is concerned, there is nothing against him at all. I may say that my father, who commanded the 3rd Regiment of Cavalry, the Prince of Wales Canadian Dragoons, for a number of years had overstepped his time for retirement and there was no pressure brought to bear for some time, but during General Herbert's term of service—although his reports were of the highest character with regard to the regiment—my father received a note suggesting that it would be just as well for him to retire. Col. Boulton did not take any offence at all at this, because he felt it was nothing but justice to the regiment and to the next senior officer that he should step down and out, and allow the major, who had served for a long time, to be placed in command. That is a precedent to that extent. In this case, the trouble which has arisen is evidently one of internal economy. Our militia regiments are differ-

ent from the regular regiments. The *esprit de corps* of our militia regiments is such that not only the officers but the privates of the corps themselves, devote the whole of their annual drill pay to their regiment. They do not take it for any personal or individual benefit, and, in that respect, they deserve a great deal of credit. It represents annually a large sum of money, and evidently it is the disposal of this fund or the business management of this large sum of money that has led to what you might call a disruption of the corps. Unfortunately, Col. Hamilton seems not to have taken exactly the position that an officer of the British army always takes in cases of that kind. The management of any regimental fund, such as band and messing, and everything of that kind, is left to a junior committee, and the commanding officer always holds himself aloof from the management of those funds, so that there may be no breach of discipline where his command is concerned, and that his influence may be properly felt in the interior economy of the regiment. This case is unfortunate for Col. Hamilton, but where the difficulties have occurred such as are present in these documents that have been brought before us, it does not seem that the general could have taken any other step than the one that he did take. It is gratifying to know from the general commanding that Col. Hamilton's reputation as a soldier is not at all at stake in the matter. The Queen's Own took a very distinguished part in the North-west Field forces of 1885, and they are desirous of maintaining that reputation. The country owes a great deal to the self-sacrificing spirit of our active militia and its *esprit de corps*. Where, however, discipline is undermined, it cannot be permitted to remain so. This regiment is no doubt desirous of continuing to contribute their annual pay, both officers and men; but they wish to have the proper business management and disposal of it which is an internal management. At any rate it is well to know, where the credit of our force is concerned, notwithstanding all the reasons that have led to the step that has been taken in the unfortunate circumstances, that Col. Hamilton will receive all the honours that he is entitled to, as if the resignation had been entirely a voluntary one.

Hon. Mr. POWER—I am not going to inflict a speech, but I think it is to be regretted that the honourable gentleman from Shell River did not give notice and have this matter come up in the regular way. I have no observations to make on the speech made by the Minister of Militia; but there are just two points which occur to me in relation to the matter, on which a little additional light is necessary which we may get another time. I do not ask for it now because the House is probably anxious to adjourn. One is, that this officer has been in command of the battalion for some six or seven years, I understand.

Hon. Mr. DESJARDINS—Yes.

Hon. Mr. POWER—And up to a few months ago there appeared to be no serious dissatisfaction with him, and there is now no complaint against his conduct as a military man. That is one point which deserves consideration.

Hon. Mr. DESJARDINS—Those complaints were reported to the department a few months ago, but Col. Otter says they had existed for some time.

Hon. Mr. POWER.—Possibly Col. Hamilton has had an opportunity of dealing with the charges made against him, but that does not appear from the correspondence which has been read. There has been no answer read from Col. Hamilton to the general charges against him. There is apparently an answer with respect to one point.

Hon. Mr. BOULTON.—I wish to explain the irregularity. I ought to have given a notice of motion as the hon. senior member for Halifax says, but I told the Minister of Militia that I wished to ask the question if he had no objection to bring it up in that way, as the time was short and the session nearly closed. It was for that reason that I put the question to-night.

The Senate then adjourned.

THE SENATE.

Ottawa, Wednesday, 22nd April, 1896.

THE SPEAKER took the Chair at Three o'clock.

Prayers and routine proceedings.

THE PROROGATION OF PARLIAMENT.

Hon. Mr. BOULTON—Before the Orders of the Day are called, I should like to ask the Premier when parliament is likely to be prorogued, and dissolved—whether it is likely to die a natural death, or whether prorogation and dissolution will follow the session. I think it is proper that we should have such information, as the existence of parliament is drawing to a close.

Hon. Sir MACKENZIE BOWELL—I can inform the hon. gentleman that parliament will be prorogued to-morrow evening at 8 o'clock. We have delayed the prorogation to the latest possible moment, in order to afford the members of the House of Commons, who have had no opportunity within the last four months fully to discuss the questions before them, as much time as the law will possibly give them. The dissolution of parliament will take place the next day, and the writs will be issued; nomination will take place on the 16th June, and polling on the 23rd June; the writs will be returnable on the 13th July, and parliament will meet on the 16th July, perhaps earlier, or a little later.

CUSTOMS TARIFF AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

A Message was received from the House of Commons with Bill (105) "An Act further to amend the Customs Tariff, 1894."

The bill was read the first time.

Hon. Sir MACKENZIE BOWELL moved the second reading of the bill. He said: It is a very short bill. It is to extend the free entry of machinery imported for mining. It simply repeals item 643, schedule B, of the Customs Tariff of 1894, chapter 33 of the Revised Statutes. The

provision of the old statute, if my recollection serves me right, for the entry of these articles free terminated on the 1st July, and this is to extend its operation.

Hon. Mr. SCOTT—I think it will be found that this bill, and the other bills that will be sent down to this chamber, are bills that have only been introduced by the government within the last three or four days, and parliament has not had an opportunity to discuss them during the past four months. My recollection of the bills that are now engrossing the attention of another branch of parliament is that many of these bills are not even printed, that they have been placed on the order paper for the first time within the last forty-eight hours.

Hon. Sir MACKENZIE BOWELL—We are not discussing those bills now.

Hon. Mr. SCOTT—An observation was dropped by the hon. gentleman which, I think, requires some explanation—that prorogation is delayed till 8 o'clock to-morrow evening to discuss measures that might have been discussed at any time within the last four months. It is scarcely a fair imputation, when the measures which are brought down have not really been before Parliament until within the last forty-eight hours.

Hon. Mr. FERGUSON—How long have the supplementary estimates been down?

Hon. Mr. SCOTT—They were not introduced by the government until the last three or four days.

Hon. Mr. FERGUSON—Oh, yes.

Hon. Sir MACKENZIE BOWELL—I fully recognize the force of the observations of the leader of the opposition. I only regret that he did not go a little further. There are occasions when public men tell, I will not say half the truth, but half what should be told. The estimates have been before the Commons for two months.

Hon. Mr. SCOTT—Oh, no.

Hon. Sir MACKENZIE BOWELL—Refer to the Journals and you will find that that is correct. I now refer to the supplementary estimates of the current year—not the supplementary estimates for 1896-97. Although the main estimates have been

before Parliament for a month or two, he knows and has had sufficient experience to know that supplementary estimates are scarcely ever laid on the table until the main estimates have been considered and passed, if important questions had not been discussed. he knows, and so does the House, and so does the country why they have not been discussed. Was it necessary, before the house could get into Committee, to sit from 3 o'clock Monday afternoon until 12 o'clock Saturday night doing nothing in the world but discussing whether the committee should rise or not in order to frustrate the progress of business, I scarcely think it lies in the mouth of those who belong to the same party to accuse the Government of not bringing its measures before Parliament. What my hon. friend says is true, however. The small Government bills which have been introduced of late have not been before Parliament any length of time, but notwithstanding that fact, they are of such a character that I am quite sure my hon. friend, no matter what his party proclivities may be, will not vote against them. This is a bill to assist to the greatest possible extent in the developing of our mining interests in this country, which are at the present moment of vital importance to those who are engaged in them, and more particularly to the country generally. I do not suppose my hon. friend objects to this Bill.

Hon. Mr. SCOTT—Certainly not.

Hon. Sir MACKENZIE BOWELL—Or to the suspension of the rule. It is a very small bill but an important one, and is one in the interests of the country, like all bills that are proposed by the government.

Hon. Mr. POWER—I regret that the leader of the government should have thought it necessary to refer to the action of the other branch of parliament—

Hon. Sir MACKENZIE BOWELL—Only to your own friends.

Hon. Mr. POWER—That is not the question. The hon. gentleman described the action of the members of the other branch of parliament as being obstructive.

Hon. Sir MACKENZIE BOWELL—So it was.

Hon. Mr. POWER—That may be the hon. gentleman's personal opinion, but it is not parliamentary to refer in this chamber to the actions of members of the other chamber in that language.

Hon. Sir MACKENZIE BOWELL—Well then I withdraw it all.

The motion was agreed to, and the bill was read the second time at length at the Table under a suspension of the rule.

Hon. Sir MACKENZIE BOWELL moved the third reading of the bill.

The motion was agreed to and the bill was read a third time and passed.

THE SENATE DEBATES.

MOTION.

Hon. Mr. BELLEROSE moved the adoption of the report of the Standing Committee on Reporting the Debates of the Senate. He said:—It is not necessary that I should enter into an explanation of this report. It contains nothing unusual. The object of the recommendations is to diminish the expense of the service. They called before the Committee the Reporters and the Superintendent of Printing, and after receiving suggestions from them, came to the conclusions embodied in the report. The Superintendent of Printing stated that the delay in transmitting the manuscript of the reports to the bureau occasioned a good deal of expense, because the printers were kept waiting for "copy." We recommend that the reporters furnish the manuscript within two hours after each sitting, and that the head messenger be ordered to forward those reports to the Printing Bureau without delay. The Printing Bureau is to supply galleys to the reporters, who will distribute them to the Senators for the purpose of enabling them to revise their speeches, and the Senators are to return those corrected galleys to the reporters within twenty-four hours. That limit of twenty-four hours will be strictly adhered to, and the expense will be greatly diminished if the members of the Senate will be prompt in returning the galleys with their corrections. Under the present system the daily issue contains a heading which occupies about one-third of the first page. In future this heading will be dispensed with, and only one edition of the reports

issued, because the unrevised form will be the galleys sent to the Senators. The Superintendent of Printing says that by doing away with this heading the expense will be considerably diminished.

Hon. Mr. MILLER—What is the cost of the service now?

Hon. Mr. BELLEROSE—I do not recollect, but the figures were put before the committee. I shall send for the figures if the hon. Senator desires. In view of the extra session, which is to be held this year, the committee had a letter sent to the reporters asking them to make an agreement for the reporting, as the contract does not cover anything but the annual session. The reporters, in reply, stated that, not knowing how long the extra session would be, they could not make a definite proposition, but that they would leave the matter in the hands of the committee to settle what would be a reasonable price, taking into consideration the length of the session.

Hon. Mr. MILLER—Is there not an agreement for a summary report?

Hon. Mr. BELLEROSE—There is no reference to that in our report.

Hon. Mr. MILLER—Do we not pay for a summary report also?

Hon. Mr. BELLEROSE—During the present session we pay \$400, I believe, for a summary report. The gentleman who makes that report supplies it to twenty-eight newspapers, which generally publish, if not the whole of the summary, at least a part of it.

Hon. Mr. MILLER—I understand that the summary reports are furnished to certain newspapers which, however, do not undertake to print them?

Hon. Mr. BELLEROSE—They are not bound to publish the summary reports.

Hon. Mr. MILLER—They cut down the summaries. Under the circumstances, that expense might very properly be saved. The expense of reporting the debates of the Senate amounts already to a very large sum, and I do not think that these summary reports give very general satisfaction. I have no great reason to complain myself,

because of late years I have spoken very little in the House, but whether it is due to the reporter or to the newspapers, complaints are made that these summaries are partial. I do not attribute it to the gentleman who makes the report in this House—I presume it is likely due to the action of the party newspapers. I have heard several speak of the reports as being unsatisfactory, and it will be a matter for the consideration of the committee next session whether this summary report shall be continued.

Hon. Mr. BELLEROSE—I may say that though there is an agreement which covers the present session, there is none for the making of these summary reports next session.

Hon. Mr. MILLER—I merely wish to give timely notice of my objection.

Hon. Mr. MACDONALD (P.E.I.)—I cannot agree with the hon. member from Richmond with respect to the summary report of the proceedings of the Senate, because, as we all know, before those summary reports were issued very little interest was taken by the press in the transactions or speeches of hon. members in the Senate, and I think it is well that that summary report should be continued so that the country may know what the Senate is really doing. Without that summary there would be no report at all in the press of the proceedings of the Senate, because when there is nothing but the full official report of the debates, the newspapers are under no obligation to print our speeches, and the Senate is seldom heard of through the press of the country. The only thing, in fact, that the country sees with respect to the doings of the Senate is what appears in the summary reports. Those reports, I believe, as they go out from the gentleman who has charge of them, are fuller than they appear in the newspapers generally; they are cut down by most of the papers that they are sent to, but still they inform the country of what is going on in the Senate, and I believe it is better and more advantageous to the Senate and the country generally that they should be continued, and I hope they will be continued next session as they have been in the past.

Hon. Mr. SCOTT—In paying for a summary report, the proper plan would be to stipulate for so much space, and then it

would be impossible to cut it down. If a space of three-quarters of a column or half a column were fixed as the least that should be given, we should get better value for our money. There is a paragraph in the report to which I think attention should be called. The last paragraph reads:—

Your committee finds the index to the debates very voluminous, and are of the opinion that it could be largely condensed and still be of equal benefit and value.

I think the index is of much value, because it is an index, not only of the Senator who speaks, but also the subject referred to, and it is found to be a very great convenience that the subject should always be mentioned in the index, as one can more conveniently find the information which he desires, and, therefore, I think it would be a mistake and false economy to cut down the index in any way to make it less convenient than it is at present.

Hon. Mr. POWER—With respect to the last observation of the hon. gentleman from Ottawa, I regret to be obliged to differ from him. I think it would be desirable to have a good and full index; and I do not understand that the report of the committee recommends that we shall cease to have that, but if hon. gentlemen will take the report of last year, they will find the index is about one-fifth or one-sixth of the volume. The work is carried too far and details are gone into too minutely. Not only is the subject given, but the different subdivisions of the subject upon which the Senator has spoken are given too, and if I understand the report of the committee aright, it is simply that this minute detail shall not be gone into in future as it has been in the past few years. I should like to know from the chairman of the committee whether or not I am right in that.

Hon. Mr. BELLEROSE—The hon. gentleman is quite right; the intention of the Committee is to have a good index, but not so long an index as the one in last year's report. If any hon. gentleman will look at the index he will see that it is something more than an index—it is an abstract, which entails great expense, and the Committee considered that it was not desirable to have such an index in future.

Hon. Mr. SCOTT—I notice, in looking at the volume, that the index of subjects takes

up 40 pages—from 882 to 924. However, I am not very particular. I am not consulted often in these matters, but it seems to me a great convenience to have a good index.

Hon. Mr. BELLEROSE—The volume last year is 927 pages, and the index is 120 pages; I suppose such an index is rather a book; and it is on that account the Committee made this recommendation.

The motion was agreed to.

The Senate then adjourned.

Second Sitting.

The SPEAKER took the Chair at Eight o'clock, p.m.

Routine proceedings.

THE BUSINESS OF THE SESSION.

MOTION.

Hon. Mr. FERGUSON moved that when the House adjourns this evening it stand adjourned until 11 a.m. to-morrow.

Hon. Mr. POWER objected. He thought there was no necessity for a morning session, as there was no business coming up from the lower House which would involve any prolonged discussion, and the House might as well adjourn until the regular hour, three p. m.

Hon. Mr. MASSON hoped the hon. gentleman would not persist in his objection. The Senate should have an opportunity to examine and discuss any legislation coming before them, and this they could not do if so little time were left them.

Hon. Mr. POWER said that more important business than any they would be likely to have to deal with to-morrow had been put thorough the Senate in a few minutes, and if any serious objection were entertained to any measure coming from the other House, the government could not force it through by meeting at 11 a.m.

Hon. Sir MACKENZIE BOWELL hoped the hon. member from Halifax would withdraw his objection, as some of the measures

expected from the other House would involve considerable discussion. One of them related to the harbour of Montreal, and was for the purpose of reducing the rate of interest on the loan and increasing the amount loaned to the Harbour Commission. On that subject, no doubt, there would be some discussion. There was also the bill for arming the Militia.

Hon. Mr. McINNES (B.C.) was satisfied that neither of these bills would meet with any opposition, and that the business of the House could be as well transacted by meeting at three p.m. as by meeting in the forenoon, while it would be of great convenience to many members to have the forenoon to themselves for other purposes.

Hon. Mr. POWER consented to withdraw his opposition, if the hour were changed to twelve o'clock.

Hon. Sir MACKENZIE BOWELL moved that when the House adjourns to-day it stand adjourned until noon to-morrow.

The motion was agreed to.

The Senate then adjourned.

THE SENATE.

Ottawa, 23rd April, 1896.

THE SPEAKER took the Chair at Twelve o'clock, noon.

Prayers and routine proceedings.

THE SENATE DEBATES.

SECOND REPORT OF THE COMMITTEE.

Hon. Mr. BELLEROSE presented the second report of the committee on reporting the Senate Debates. He said,—I suppose there is no objection to moving that this report be concurred in at once. It is short, merely recommending the continuance of the engagement with Mr. Smith to prepare a short report of the debates for the newspapers. I believe the number of newspapers supplied with these reports is twenty-eight.

Hon. Mr. MILLER—I should like to ask my hon. friend whether the committee had a meeting this morning.

Hon. Mr. BELLEROSE—I was asked to call a meeting of the committee this morning and I called one.

Hon. Mr. MILLER—At what time was it held?

Hon. Mr. PERLEY—Eleven o'clock.

Hon. Mr. BELLEROSE—I was asked to call the meeting at about four o'clock yesterday.

Hon. Mr. MILLER—I think it was due, in courtesy to me, and any member of this House, under the circumstances, to give me notice. I made some objections to the appropriation for a summary report yesterday, and I think that the hon. gentleman should have informed me of the meeting of the committee to take place to-day. Under the circumstances, the report should not be pushed, and unless the hon. gentleman will withdraw it he may possibly not be able to get it through before the prorogation this evening.

Hon. Mr. BELLEROSE—I do not know whether I understood the hon. gentleman from Richmond correctly, but I believe he has said that it was discourteous to him not to give him notice that the committee would meet this morning. As far as that goes, I do not believe the chairman of the committee is bound to give notice to Senators, who are not on the committee, to attend its meetings.

Hon. Mr. MILLER—Of course there is no right whatever; it is a matter of courtesy.

Hon. Mr. BELLEROSE—Had I thought that the hon. gentleman would persist in his opposition, I would certainly have called his attention to the fact that the committee was to meet, but I was told that he would not oppose the re-engagement of Mr. Smith, though he did not concur yesterday in the report. That being so, I thought it was not necessary to give him notice. As to the report itself, I believe the hon. gentleman might fairly do what has been done for two or three days past; that is, not insist upon a strict adherence to the rules, but let the House say whether they will adopt the report or not. I believe that the

hon. gentleman will not make opposition to the report but leave it to the House to decide. I am ordered by the committee to submit the report to the House and I do so.

Hon. Mr. MILLER—I do not wish the House or the hon. gentleman to infer that I considered I had any right to an intimation from the committee of the time of meeting, but what I did mean to convey was that, having raised an objection yesterday, it would have been ordinary courtesy to have given me notice. The hon. gentleman might have requested the clerk to let me know when it was to be held. Under similar circumstances I would have treated the hon. gentleman with the same courtesy. With regard to the other point, that the hon. gentleman did not anticipate any further action this year and looked forward to some action being contemplated by the committee next year for a summary, I said if there was a feeling in the House to have a summary I would not oppose it; I would not set up my own views in the matter, in opposition to even a considerable minority of the House, but I find a good many complaints with regard to the unsatisfactory character of these summary reports, and I felt it my duty yesterday to speak as I did. With regard to the proposed suspension of the rule to allow the report to be read immediately, there is no discourtesy whatever in my insisting upon the report standing over until the next sitting of the House. There is to be another meeting of the House this afternoon, and I shall decide in the meantime whether I shall take steps to see that the report does not go through, because if it is intended to force the report through, I can tell the hon. gentleman there are plenty of means within my reach to prevent it. I am not so unfamiliar with parliamentary rules and practice as not to know how to employ those means, and I advise the hon. gentleman to let the matter stand over until the next meeting of the House.

Hon. Mr. BELLEROSE—I know the hon. gentleman has a perfect right to oppose concurrence in the report which I have moved. I said a minute ago that I thought, under the circumstances, the hon. gentleman would not insist upon the view he has taken, and if he merely desires to consider the matter further, it is only right that the re-

port should stand until next sitting of the House. Indeed, I may say that I was not asked to move the adoption of the report at once. I did so because I wish to get away this afternoon; but as the hon. gentleman wishes to consider the matter further, I will let the motion drop and ask the House to concur in the report this evening. I therefore move that the report be concurred in at the next sitting of the House.

The motion was agreed to.

MONTREAL AND PROVINCE LINE RAILWAY CO.'S BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (85) "An Act to incorporate the Montreal and Province Line Railway Co."

The bill was read the first time.

Hon. Mr. BAKER moved the second reading of the bill. He said: The object of the incorporators is merely to comply with the provisions of the Railway Act and invest themselves with the rights and franchises of a railway which was sold on the 2nd March. There is nothing more in the bill. In fact, it is a reproduction of the model bill.

The motion was agreed to and the bill was read the second time.

Hon. Mr. BAKER moved the third reading of the bill.

Hon. Mr. POWER—Has the bill been submitted to the law officer of this House?

Hon. Mr. BAKER—It has, and there is a certificate on the copy of the bill that I hold in my hands that the provisions of the model bill are embodied in this measure.

Hon. Mr. POWER—That is satisfactory.

The motion was agreed to and the bill was read the third time and passed under a suspension of the rules.

SENATE AND HOUSE OF COMMONS ACT AMENDMENT BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (111), "An Act

further to amend the Act respecting the Senate and House of Commons."

The bill was read the first time.

Hon. Sir MACKENZIE BOWELL moved the suspension of the rules so far as they relate to this bill.

Hon. Mr. POWER—Perhaps the hon. gentleman will explain the bill.

Hon. Sir MACKENZIE BOWELL—I believe it is to relieve members of both Houses from having twelve days' pay deducted should they have been absent twelve days during the session. It is similar to the bill that we passed last session.

Hon. Mr. DICKEY—I am very sorry that this is a bill which comes within the category of money bills from the lower House, which we are not permitted to amend.

Hon. Mr. POWER—We can throw it out. I do not propose to discuss this measure. A bill of a similar character has been introduced, I think, every session since 1891. That is one of the respects in which the present parliament has broken the record. Such measures were never introduced here before. This measure and those which have preceded it are highly derogatory to the dignity of parliament and injurious to the estimation in which we are held by the people at large. Parliament adopted a plan with respect to the payment of its members which is in its essence the best which has been adopted anywhere, and I regret that the present government have thought proper to depart from the rule which has been followed in the past. If it is felt that the indemnity which the law allows is not sufficient, the law should be altered, but nothing can be imagined smaller or more undignified than to have parliament year after year passing Acts to allow members to draw pay which they have not earned. Hon. gentlemen of both Houses go home and attend to their own business and neglect the business of the country, and then come back here at the close of the session and pass a measure to pay themselves as though they had been here. I think it is highly discreditable, and I trust that we have seen the last of those bills.

Hon. Mr. MILLER—There is no fault to be found with the hon. gentleman availing himself of this opportunity to exhibit his own public virtue and have a blow at the iniquity of the government. That is fair tactics, I suppose, in political war, but there is another view to be taken of the subject. I think it is objectionable to have bills of this character coming down every session. It would be better to have some permanent provision inserted in the Indemnity Act. That Act requires amendment in a more important direction, and, as we cannot introduce such legislation in this House, the government ought to see by next session that steps are taken in the branch of parliament which has control of money matters to change the terms of the Indemnity Act so that members who only come here for two or three days of the session cannot, under a forced, but, perhaps, a legal construction of the Act, draw five or six hundred dollars indemnity, if they are only a few days in attendance. I think that construction was never intended by the framers of the Act, and it should not be very difficult to find a way to amend it. The circumstances demand imperatively an amendment of the Act in this respect. I do not wish to particularize any case, because that would be perhaps discourteous, but as I think the Act requires amendment in that direction, while doing so, if this exemption was proper last session and the session before, and is proper this session, it will be proper for all future sessions. For my own part, although I have never yet taken advantage of it, I think it is not an improper or unreasonable provision to make. For instance, a gentleman attending to his duties here, is called on business, or through sickness in his family, to Montreal or Toronto; he may be called away, perhaps two or three days when there is nothing doing in parliament, and he would have no work to attend to were he in his regular place, yet those two or three days are deducted from his sessional indemnity. I think 10 days would not be too much exemption to allow to members generally, for the whole session. But there is one restriction which should be placed upon it, and which I believe should be made imperative; that is, that it should not apply to the last ten days of the session, because I am afraid that gentlemen are so anxious to get home during the last few days of the

session, that it might be found when the most important business of the country is to be transacted, as far as this House is concerned, we would have no quorum. I hope that the gentlemen who occupy the Treasury benches will see that steps are taken in the other House, if it recommends itself to the wisdom of the government to alter the law in both respects.

Hon. Mr. BOULTON—Coming from such a long distance as I do in the North-west Territories, where we cannot take advantage of this ten or twelve days, as the others do, a very good amendment would be to divide all that the members do not earn among those who do earn it. While I recognize thoroughly that virtue is its own reward, a little aid to virtue I have no doubt would be a benefit.

Hon. Mr. SULLIVAN—Those are the only sound views on the trade question that the hon. gentleman has uttered this year.

The motion was agreed to, and the bill was read the second time.

Hon. Sir MACKENZIE BOWELL moved the third reading of the bill.

The motion was agreed to and the bill was read the third time on a division and passed under a suspension of the rules.

THE MANITOBA AND NORTH-WEST MILLERS ASSOCIATION BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (83). "An Act to incorporate the Manitoba and North-west Millers Association."

The bill was read the first time.

Hon. Mr. KIRCHHOFFER moved the second reading of the bill. He said: This bill is on the same line as the bill incorporating the Ontario Millers Association and is copied from it almost word for word. The different industries have a way of uniting for their own benefit, and it is the same as the bill passed in Ontario.

Hon. Mr. McKAY—Is it intended to raise the price of wheat and flour?

Hon. Mr. KIRCHHOFFER—Intended to raise the price of Manitoba wheat.

Hon. Mr. POWER—The hon. gentleman has not explained why this bill has only come in now. In the case of the bill which was introduced a few minutes ago by the hon. gentleman from Missisquoi, the hon. gentleman gave a reason why it had not been introduced earlier, but here is a bill which does not appear to be urgent in its character, and which is introduced on the last day of the session with a view, apparently, of escaping the scrutiny of the various committees of the House. I do not know very much about the millers of Manitoba, but probably it would be just as well for the farmers of Manitoba that the millers should not be allowed to form a combination like that.

Hon. Mr. MACDONALD (B.C.)—It was not possible to find committees to look after the different bills. The Railway Committee could not be gathered together and the Standing Orders Committee could not find a quorum, and this course has been adopted. The bill is not very important and that is the reason.

Hon. Mr. POWER—That does not answer my question. I asked why it was this bill only came to the House on the last day of the session. There may be some good and sufficient reason, but we have not heard it yet.

Hon. Mr. MACDONALD (B.C.)—It was on the order paper for a number of days and there was such obstruction in the House of Commons that it could not be got through.

Hon. Mr. KIRCHHOFFER—Everybody knows how the public business was blocked in the other House. This bill was on the order paper day after day and it could not be got through. The bills ahead of this one on the paper were opposed and blocked and there was no possibility of getting this bill in here before.

The motion was agreed to and the bill was read the second time.

Hon. Mr. KIRCHHOFFER moved the third reading of the bill.

Hon. Mr. BOULTON—Before this motion is carried, I should like to say a few words on the subject. It comes at a very late

hour of the session, and I do not propose to offer any obstruction, but still I cannot help calling the attention of Parliament to the character of the bill. It is one of those combinations, I might say, or monopolies that have been felt increasing with alarm among certain sections of the country. It is a species of combine by which the millers agree to cooperate with one another. I merely draw attention to the fact, because that class of legislation should be restricted as much as possible. I was requested by interested parties in the west, the farmers, to deal with this matter when the bill came before the Senate. I shall not detain the House or take up valuable time at the end of the session by any reference to it, further than to call attention to what I conceive to be the character of the bill.

The motion was agreed to and the bill was read the third time and passed under a suspension of the rule.

The Senate then adjourned.

Afternoon Sitting.

The Speaker took the Chair at Three o'clock.

Prayers and routine proceedings.

THE SENATE DEBATES.

REPORT ADOPTED.

Hon. Mr. BELLEROSE moved concurrence in the Second report of the Debates Committee.

Hon. Mr. SCOTT—It is not usual to tie up the hands of a new parliament by making a regulation of this kind in advance. It may be a wise and prudent one, but it would be much better if the committee had left it to the next parliament to make the arrangement. It has never before been made in advance, but always during the life of the existing parliament. The judgment of gentlemen who may be on the committee next year, may be different from that of the Senators who compose the committee this year. I threw out the suggestion to-day that it was a mistake in paying this amount not to insist upon a certain space

in the papers, because at times the press report is somewhat limited. If we are paying a fixed sum, I think we should get a fixed space, half a column or whatever may be considered reasonable. It should not be left to the papers themselves; there should be some reason in it. At times the report is a mere fragment if there is other interesting news to fill up the papers, so that our report simply depends upon what space the newspaper people have at their command at the moment.

Hon. Mr. BELLEROSE—The hon gentleman knows better than I do that every session there is a certain amount of work which has to be done in advance by the committees. It is only a few days ago that a committee of this House had to make a report and order stationery supplies of all kinds in advance. It was necessary, in this case, to know at the opening of the session whether Mr. Smith would remain with us or not, so that we were obliged to decide the question before the close of this parliament, as it was decided two years ago for last year. It is customary for those committees to report in advance on such matters as have to be settled before the session begins, and this is one of them, the same as the supply of stationery.

Hon. Mr. SCOTT—There is no case where we did it with a new parliament coming in. We may have done it from one session to another with the same committee.

Hon. Sir MACKENZIE BOWELL—There is a great deal of force in what the hon. member from Ottawa says, and if we had any control over those newspapers to compel them to give half a column to reports of our proceedings, we could make that stipulation, but I know from personal investigation that the reporter has supplied a very fair synopsis of the proceedings of the Senate—a synopsis that would have occupied from a half to three-quarters of a column, and sometimes a whole column. That has been handed to the representatives of the press here, and they have cut it down to suit themselves, so that we have no control over that matter at all. Not having any control, and not having power to compel the publication of the proceedings, of course it was a very fair question to discuss whether we should continue it, but there is this fact beyond a

a doubt, the employment of a special reporter, for the newspapers, upon our staff, has called public attention to our proceedings to a much greater extent than had been the case before. In many cases, where there was really what might be considered a debate that affected the general interests of the country, I have seen two or three column reports of the Senate proceedings in the press. Besides, during the time that we have had this reporter attached to the staff, a great deal more attention has been paid by the editors of newspapers to the Senate, and you will find a very large number of newspapers during the last two sessions have contained editorials, some of course adverse, others again approving of the conduct of the Senate, and in fact they have come to the conclusion that the Senate is not quite so effete as they used to represent it to be. On the whole, I think it is a very good arrangement, and if we could only induce the newspapers to devote a little more time and attention to the utterances of senators I am quite sure the members of this House would do as much towards moulding public opinion as the members of the lower House. Those are the particular reasons why I shall support the report of the Debates Committee.

The motion was agreed to.

HARBOUR COMMISSIONERS OF MONTREAL BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (110) "An Act respecting the Harbour Commissioners of Montreal."

The bill was read the first time.

Hon. Sir MACKENZIE BOWELL moved the second reading of the bill. He said:—In moving the second reading of the bill, I might repeat to a certain extent the few words I uttered yesterday in reference to the measure. It is simply to enable the Governor General in Council to advance to the Harbour Commissioners of Montreal a sum amounting to \$2,000,000 in order that they may have the advantage of as cheap money as it is possible to obtain, and that can only be done by the government's endorsement or by the government borrow-

ing and advancing it upon the bonds issued by the Harbour Commissioners. I might add, that the Harbour Commissioners of Montreal are indebted to the government for certain bonds and also indebted to the Bank of Montreal for advances made in order to enable them to continue the improvement of that harbour. What is of equal, if not of more importance in a transaction of that kind, is that the Harbour Commissioners of Montreal have never been in default in the payment of interest on the amount which they have been owing, whether to the government, or to the bond holders, or on advances made by the bank to enable them to carry on their work. I could not magnify the importance of that harbour to Canada. It is, as you all know, the commercial entrepot of this portion of Her Majesty's dominions, and it is absolutely necessary, in order to provide for the increase of trade and traffic which is constantly going on in that harbour, to so improve its size and depth as to meet the requirements of commerce. In other words, this money is to pay to the Bank of Montreal the \$350,000 advanced for the purposes to which I have alluded. They require for the present summer's operations \$70,000. They desire to pay off the bonds which are held by the Dominion Government to the extent of \$260,000 now bearing 5 per cent interest and due on the 5th of January, 1896. Then the government have advanced to them, on what is called a demand loan, a certain amount of money, and there is the interest due on outstanding bonds reaching \$63,185. Then they have standing out six per cent debentures, which fall due also in 1896, to the extent of \$104,000. The chief engineer's estimate of the cost of completing the work is \$300,000 making a total of \$1,133,185. The estimated cost of the new work which is to be carried on, commencing in 1897, is \$763,000, making a total of \$2,000,000. It will enable the Harbour Commissioners to pay off their debentures which are now bearing five and six per cent interest, to pay off the advances made to them by the Bank of Montreal, and also to pay the government the bonds and debentures which they hold of the Harbour Commissioners bearing five per cent, and the money will be obtained certainly at three and a half per cent, thereby saving to those works a large amount of money in interest. That it is a perfectly

safe operation is evident by the facts which I have stated. Last year, after paying the interest on the full indebtedness, they had \$23,000 of a surplus. It is a good operation for the Harbour Commissioners, and the government do not desire to take from a work of that kind more interest than it would cost to make the advances.

Hon. Mr. DRUMMOND—In effect the bill is not borrowing from the government, not a pull on the public treasury in any sense, but to enable the Harbour Commissioners to obtain their money at a cheaper rate than hitherto. The bonds of the Harbour Commissioners have always been a good security, and there is no probability of the interest not being paid. The only thing the government does in this instance is to enable the Harbour Commissioners, for the purpose of making improvements and clearing off old indebtedness, to borrow money at a cheaper rate than they could without the endorsement of the government. I trust that the bill will pass without any objection.

The motion was agreed to and the bill was read the second time.

Hon. Sir MACKENZIE BOWELL moved the third reading of the Bill.

Hon. Mr. POWER—The hon. gentleman from Kennebec did not mention whether or not it is the intention of the Harbour Commissioners to improve the sanitary condition of the harbour. Is there anything in this bill to provide for that?

Hon. Mr. DRUMMOND—As that subject has been introduced, I should like to say a word. The sanitary condition of the harbour has been pictured to this House by an hon. member as having been much affected prejudicially by the recent harbour improvements. I have been a close observer of the harbour for over forty years, and for at least ten or fifteen years my office window has been immediately over the point where the main sewer of the city complained of debouches into the harbour. I maintain that the formation of a protective embankment will not in any degree prejudicially affect the sanitary condition of the harbour, and that the attempt to represent the recent changes in the harbour as being productive of a deleterious sanitary effect is all nonsense. The

Lachine Canal pours into the harbour of Montreal a very large stream of water which is constantly flowing through, and to contend that because a sewer debouches into a stillwater eddy and creates a nuisance there which is due to the improvements, is all nonsense. It is like the old story of the Emperor of China, who was nearly roasted to death before it was discovered that he could be relieved by moving back his chair instead of removing the fire from in front of him. The fact is, the citizens of Montreal are in duty bound to carry that sewer elsewhere. Any attempt whatever to induce the belief that the harbour of Montreal is prejudicially affected, from a sanitary point of view, by reason of the improvements is in my opinion nonsense. Besides, it is not affected by this bill at all.

Hon. Mr. DEBOUCHERVILLE—If I understand the hon. gentleman's remarks the city of Montreal ought to extend this sewer.

Hon. Mr. DRUMMOND—Yes.

Hon. Mr. DEBOUCHERVILLE—Then the hon. gentleman admits, if it is necessary to extend it, that there is something wrong with that basin.

Hon. Mr. DRUMMOND—What I maintain is that the recent improvements have in no degree whatever affected the position of things in existence for many years, and that any attempt to connect the nuisance with the improvements is nonsense, and that the sanitary condition can be ameliorated by the simple expedient of taking that sewer from the inside of the basin to another point.

Hon. Mr. DEBOUCHERVILLE—Very well; the question was this: formerly, before these improvements were made, it was not healthy. The city water was not wholesome, and it should be improved. I think the hon. gentleman is using rather hard words when he says it is all nonsense, after one of our best physicians in Montreal has said that the sanitary conditions are bad. Although there is nothing before the Senate, I take the opportunity to speak about this question. It seems to me the government ought, in the interest of the whole country, to inquire if these waters are really in such a bad condition, because if Montreal becomes infected with typhoid fever, it will infect

the whole country. I repeat, it seems to me the government ought to issue a commission to ascertain if these waters are contaminated by the sewage of the city of Montreal. I do not enter into the question as to whether the city of Montreal or the Harbour Commissioners should make the extension of the canal, but the hon. gentleman cannot deny, after what was read to us by the hon. Senator from Victoria, that there is some danger at least, and that danger was put before us by able men. I cannot admit that the word "nonsense" is applicable to this case.

Hon. Mr. DRUMMOND—I should like to inform hon. gentlemen that during last summer the condition of the water was very exceptional—it was exceedingly low all summer. A great many rocks in front of the city were dry and exposed to the sun—rocks which for many seasons were covered by the water. The result was a slight alteration of the current, but I contend that the condition of things has not been prejudicially affected by the construction of those harbour works, and if there is an unsanitary condition in that immediate part of the harbour, it could be remedied in a simple way.

Hon. Mr. VILLENEUVE—I have occupied a seat on the Harbour Commission for eight years, and last year was the only year that there was a complaint that the condition of the water was injurious to public health. As the hon. gentleman has just mentioned, the water last year was the lowest in the memory of any citizen of Montreal. The Allan line people were very near where the sewer came into the river, and they found that there was a bad smell and that the water was very bad, and they complained of it. I think that those who have a right to complain are the provincial board of health. They examined, and they found out that those sewers should be extended further into the current, and I believe the city will be obliged to do it, very likely this year if the water is as low as it was last year. But I hope that we will not see such low water again for a long time. The provincial board of health of the city of Montreal have investigated the matter, and no doubt these complaints will be repeated; because the city and the provincial board of health will see that the water will not be contaminated by the

sewers, and I have no doubt that the member for Rougemont did it with the best of motives, showing that he is very much interested in the health of the city of Montreal. We should thank him for it, but I think that the question is in the hands entirely of the provincial board of health.

Hon. Mr. MASSON—Can the hon. gentleman explain how it is that Sir William Hingston said that there was a stagnant pond there? It is not necessary to be an engineer to be able to see that. A boy could see it. The water was so stagnant that a log would remain there for several days. How do you explain that?

Hon. Mr. VILLENEUVE—The first time he complained of it was last year, when the water did not come above the Victoria bridge. The Harbour Commissioners took away an old wharf that was there; and now from above the Victoria bridge there will be an immense amount of water coming in, and there will be no still water in the harbour. Now you have the water coming from the canal, and from the mills; I do not say that it will be a swift current, but there will certainly be a current in the harbour—not the least doubt about it.

Hon. Mr. DRUMMOND—The explanation which is readily offered to the last remark is that the Harbour of Montreal consists of a number of piers jutting out, and at each pier there is a basin, forming an indentation, in which there is stagnant water, while the current sweeps along the ends of the projecting piers. Nothing can be simpler than to see that if the deposit of the sewer goes into the basin, it will remain there; but if the simple expedient of extending the sewer, by means of a cast-iron pipe, out to the point of the wharf and discharging the sewage into the current were resorted to, nothing more would be necessary.

Hon. Mr. POWER.—Why should that be necessary, because the Harbour Commissioners of Montreal have built these piers in this way and prevented it coming down? I had no idea that my remark was going to cause such an interesting discussion, and a discussion so much out of order, but the hon. gentleman from Kennebec is very emphatic and positive, and I have the greatest

respect for his judgment and knowledge. At the same time, the hon. gentleman from Rougement read us the opinion of the Dominion engineers and sanitary authorities of the city of Montreal, and some other sanitary authorities, and I do not think the case is closed, but the discussion should not go any further.

The motion was agreed to and the bill was read the third time and passed under a suspension of the rule.

MONTREAL TURNPIKE TRUST DEBENTURE BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (107) "An Act respecting certain debentures of the Montreal Turnpike Trust."

The bill was read the first time.

Hon. Sir MACKENZIE BOWELL moved the second reading of the bill.

Hon. Mr. SCOTT—Will the hon. gentleman explain the bill? Is the hon. gentleman able to make as favourable a report on the Montreal Turnpike Trust debentures as on the Harbour bonds?

Hon. Sir MACKENZIE BOWELL—I am afraid not.

Hon. Mr. SCOTT—I thought not. They are six per cent bonds, and I heard something of it last year. The interest has not been paid. Is it proposed to release the interest entirely, and to accept a fixed sum in lieu of it, or are they going to accept a new issue of bonds of this Turnpike Trust? What is the intention of the government on that point?

Hon. Sir MACKENZIE BOWELL—Without going elaborately into the whole matter, I will explain it as well as I can. This bill is a very formidable document, and the hon. gentleman can read it when he has nothing else to do; but, joking aside, the Turnpike Trust has been in default a number of years, and after full investigation into the whole subject, an arrangement was come to between the Turnpike Trust and the government to accept this sum in lieu of its full in-

debtedness. Speaking subject to correction, because I have not the figures before me, I think it is a compromise of about 50 cents on the dollar. It was deemed advisable in the interest of the Trust itself, and in the interest of the revenue of the country, that this compromise should be made, and that we should receive the amount that is provided for in this bill in liquidation of the full indebtedness of the company.

Hon. Mr. SCOTT—Will they pay the government in cash, or will they give new bonds?

Hon. Sir MACKENZIE BOWELL—We are to release the bonds we now held, and they are to issue new bonds bearing a certain rate of interest in lieu of the other.

Hon. Mr. SCOTT—Will they sell the bonds, or hand them over and agree to pay the interest?

Hon. Sir MACKENZIE BOWELL—I cannot say. I think it would be an exchange of bonds. If the hon. gentleman thinks that an important point, I will ascertain it for him before the third reading.

Hon. Mr. SCOTT—I am not interested in it specially. I heard the story thirty years ago.

Hon. Sir MACKENZIE BOWELL—Yes, I have no doubt the hon. gentleman had it brought to his notice some years ago. I think the bill is in the interest of this company as well as the country.

The motion was agreed to and the bill was read the second and third times and passed under a suspension of the rules.

OCEAN STEAMSHIP SUBSIDIES BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (106) "An Act further to amend the Act relating to Ocean Steamship Subsidies."

The bill was read the first time.

Hon. Sir MACKENZIE BOWELL moved the second reading of the bill.

Hon. Mr. SCOTT—This is a very short bill and very easily understood. In refer-

ence to the first proposal to pay \$750,000, that is practically disposed of and has been for some years, and I do not propose to enter into a discussion of it. The subject has been discussed before in this House. The only alteration in that proposal has reference to the fast line calling at a French port. That is the only change created in that subsidy, and, therefore, it will have in reality a very much better opportunity of proving itself to be a fast line than if the steamers had to stop either at a French or Belgian port, and as the British Government are now taking some interest in it, no doubt it will prove a reality, and I hope it will be a success. I presume the initiatory step is to be taken by the government of Canada, and that they will call for tenders. The British Government, I think, have thrown the responsibility on the Canadian government of calling for tenders, and I do not know that we have been officially informed as to the amount the British Government propose to advance, but I presume it will be such a sum as will make the fast line a success. If we are to enter upon it at all, it is to be hoped it will attract a considerable portion of the travel between this continent and Europe. The next paragraph of the bill deals with a subject which also has been partially discussed before, but which has not previously been reduced to a material shape; that is the subsidy growing out of the treaty we made with France. It is said, I believe on good authority, that the ratification of that treaty has stimulated very considerably some of the exports of this country, more particularly our wood, and it is to be hoped that it will also lead to the exportation of some of our dairy products, cheese and butter, and inasmuch as the lowering of the tariff between France and Canada has increased the traffic between the two countries, it ought to be an indication to us that if we were to reduce our tariff between Canada and other countries the effect would be the same. The result of lowering a tariff necessarily leads to increased traffic, and our treaty with France has amply proved that. I am very glad to hear it and am quite prepared to give my support to a subsidy to a fast line of steamers.

Hon. Sir MACKENZIE BOWELL—The remarks made by the hon. leader opposite are nearly a full explanation of the provisions

of this bill and the desire of the government upon this question. Under the old tenders, and the law under which the tenders were asked for, provision was made that the fast line of steamers should go to an English port and then to a French port. After the ratification of the Treaty between France and Canada, it was deemed advisable, and absolutely necessary to my mind, that there should be a direct line between Canada and France to enable those exporting goods from Canada to that country to take advantage of the minimum tariff. That can only be accomplished by subsidizing a direct line of steamers. That being the case, it is not necessary to ask those who tender for the fast line to go to a French port. It is also correct that in the negotiations which took place between Canada and England upon this question the Colonial Secretary deemed it advisable to insist upon tenders being asked for from those who were in the trade and not to enter into any arrangement with a particular shipping company or forwarding company without competition. That is one of the conditions upon which imperial aid will be given, and a stipulation to which Canada could have no possible objection, because it is in our interest to have as good a line as possible and at as cheap a rate as possible. I do not know that I shall enter into a discussion on the hint thrown out by the hon. gentleman as to the advisability of reducing our tariff. The policy of the country has been in the past to protect our industries, and wherever we could receive reciprocal advantages from other countries by lowering the Canadian tariff, to do so proportionately to the advantage which any country will give us. I am satisfied that that will be the policy of the party now in power so long as it holds the reins of government. I cannot well understand what advantage Canada would derive from carrying out the suggestion of the hon. gentleman from Ottawa. We all know, who understand anything about the fiscal policy of France, that they have in that country what you might call a two column tariff—a maximum tariff and a minimum tariff. If we get the advantage of the lower tariff in consideration of making a certain concession to France, that is a reciprocal arrangement which might be extended to any other country that would give us similar advantages, but I cannot see how we would be benefited by lowering our tariff for the

benefit of countries that give us nothing in return. It would be adopting the principle of admitting into Canada the products of other countries which exclude our products. My hon. friend opposite smiles—I know he is a devotee of the Cobden principle of free trade, but I can safely predict that the time is far distant in Canada when we shall be prepared to adopt any such policy.

Hon. Mr. McCLELAN—The hon. Premier has referred to remarks which were made by the hon. member from Ottawa with regard to getting a *quid pro quo* for any concession that we may make. I cannot see why we could not, by reducing our tariff on British goods, induce the mother country to take off our hands something which we have to provide for now: that is to say, if we take 50 per cent more British goods, which would be the result of lowering the duty upon them, it would be profitable to Great Britain to provide the means of transit for carrying them. It would be a mutual benefit all round, and very great gain would accrue, because there would be more trade, and situated as we are alongside of the United States, Canada would have the benefit of cheaper goods, and it would be a great gain to the Empire, inasmuch as we would be drawn into closer relations with the mother land. Great Britain, I am quite certain, would be willing to relieve us of the expense which we now have to bear in paying subsidies to steamship lines. The lowering of duties on importations from Great Britain would lead to very beneficial results all round.

Hon. Mr. ANGERS—If we purchase 50 per cent more goods from England, what benefit will Canadian operatives derive from that?

Hon. Mr. McCLELAN—The farmers would derive a benefit.

Hon. Mr. ANGERS—I do not see that they would, and the Canadian operatives would lose the wages which they might have earned in producing that 50 per cent. My object in rising is to draw the attention of the government to this fact; last year, or the year before, parliament offered a subsidy of \$750,000 for a fast line, and one of the conditions imposed on the company to earn that subsidy, was that they should run from

England to a French port. Now, if we provide a \$50,000 subsidy for a direct line between Canada and France, I think that the fast line should be relieved of the obligation of running vessels from an English port to France, and consequently that the subsidy should be reduced from \$750,000 to \$700,000. I hope that the government in drafting the contract will bear this fact in mind.

Hon. Mr. DRUMMOND—I always considered the condition attached to this subsidy, that a vessel after touching a British port should go to a French port, was a totally unworkable one. I thoroughly approve of having a fast line, although I consider that the condition which demands that the vessels shall have a speed of 20 knots an hour at sea is asking a little too much for the money. I have always thought that a vessel making eighteen knots an hour at sea in fair weather was a reasonably fast ship. At that speed, a vessel leaving a British port at the same time as a fast steamer of the American line, will reach Quebec as soon as the other would reach New York. If for a subsidy of \$750,000. a year, we can get faster vessels, so much the better, but for my own part I shall be quite satisfied if, for that subsidy, we can get vessels which will make eighteen knots an hour at sea, and I should be prepared to say that we were pretty well off. I think it would have the effect of diverting to our own ports a large amount of traffic which now goes by way of New York. The passenger ships to Montreal at present are of inferior power and some of them obsolete, and, as a result, a very large proportion of our passenger traffic goes via New York. If we had equally good facilities, our people would prefer to use our own line, because they would effect a very considerable saving in the expense of travel. I defy anybody to travel via New York, without spending a considerable amount of money in the portion of the journey between Montreal and the steamship in New York harbour, and that would be avoided by having a fast line of our own. I therefore thoroughly approve of the bill.

Hon. Mr. WOOD—I should like to say a few words in reply to the remarks which fell from the hon. member from Albert. He based his remarks altogether on the theory that this country is about to establish a

freight line of steamers between Great Britain and Canada. Every one knows that we have already plenty of steamers of the class required for such a service, and that the rates for transportation are already very low—that even if the importations were increased, as he thinks they would be under a reduced tariff, by 50 per cent, there would be no difficulty in finding plenty of steamers to carry the goods without any subsidy and at very low rates. In connection with this view of the case, the whole object of giving this large subsidy appears to me to be the establishing of a line which can successfully compete with the great lines of passengers steamers running between New York and England, and, if possible, to divert a considerable portion of that large, and in my opinion profitable, traffic from New York to our Canadian seaports. In order to do that, it is essential that we should have a line of steamers quite as fast and quite as good and well equipped in every respect as the steamers which run between Great Britain and New York, and in that respect I differ from the hon. member from Kennebec division. I should not be satisfied myself to undertake to enter into that competition with an eighteen knot steamer. If we have any advantage at all it is in the fact that our geographical position will enable us to shorten the time required for the journey between Great Britain and America. If we only had steamers with the same speed as the vessels which run to New York, we could shorten the time required for the voyage and on that one point I consider the whole success of this scheme turns. In common with all the hon. gentlemen who have spoken, with the exception perhaps of the hon. member for Albert, I heartily support this proposal for what appears to be a very large subsidy, but, considering the importance of the project, one that is fully justified. There is just one point in connection with this proposal on which I should like to have a definite statement from the government. The steamships which have been subsidized in the past for carrying the mails have frequently had to go to United States ports in the winter time for the purpose of landing and receiving cargo. The result of the experiment tried last winter has shown that we have facilities in St. John and Halifax for furnishing all the cargo that steamers require, and I trust that if a new contract is entered into and this large subsidy is given, a condition will be made in

the contract that those steamers are to make some port of Canada their terminal port, on this side of the Atlantic all the year round, and that they will not in the future, as they have in the past, have to go to a United States port. I should like to have a definite statement from the Premier on that point.

Hon. Sir MACKENZIE BOWELL—I do not propose to discuss the trade policy but I confess that I am surprised at one remark made by the hon. member from Kennebec, that an eighteen knot steamer would be sufficient for Canada at the present time. In my opinion, there is nothing sufficient for Canada that is not equal to, or will surpass if possible, the greyhounds that ply between New York and Europe. Without that, it would be to my mind an absolute waste of money to give half a million or even \$100,000 for an eighteen knot steamer. The tendency of the age is to travel rapidly, and whichever route will give the quickest and best facilities for reaching the markets of Europe, is the route that will be taken by those who are engaged in trade. The hon. gentleman did say—and if we had no ambition beyond that it would be unanswerable—that an 18-knot steamer could reach a Canadian port in the same time that a 21-knot steamer could reach New York, both departing from the same port in England at the same time. What we desire, in asking Parliament to make so large an appropriation, is to put a line of steamers upon the Atlantic to ply between Europe and a Canadian port, which will save from 24 to 48 hours in the journey between Europe and the Canadian port, and save much more time in reaching the great western cities, such as Chicago and Cincinnati. We hope to divert trade to our own ports in that way. If we want evidence of the advantage of spending a large amount of money in procuring the very best possible means of transit, we have it in the debt which this country has incurred in aiding the construction of the Canadian Pacific Railway. We have now a line from the Atlantic to the Pacific which is competing with all the great transcontinental routes in the United States, and so keenly have the people in San Francisco and the different ports along the Pacific Coast felt the effects of the diversion of trade to that line, that they are actually doing all they possibly can with their legislatures and with their public men to pass

acts to hamper and deprive us of the advantages which the geographical position of Canada brings. I know my hon. friend is one of the most enterprising men we have in this country and I supposed when he rose to speak that he was about to say that a twenty knot steamer was not fast enough. Perhaps I was led to that conclusion because it was my own opinion. I have been combating with my colleagues to have a steamer which will make twenty-two or twenty-three knots on her trial trip, which would ensure a twenty-one knot steamer on the whole route. That is an object that we have in view and I have come to the conclusion, from studying the diversion of trade from one port to another, that trade is attracted just in proportion to the facilities provided and I trust before the next parliament ceases to exist we will have a faster line between Europe and Canada than any that they have in the United States. I have come to the conclusion not to be surprised at anything which may occur in these days in science, in politics or in anything else. During my lifetime such an advance has been made in science, in the means of transporting goods from one part of the world to the other, in telegraphs, phonographs and steam machinery of all kinds as to lead one to the conclusion that we need not be surprised at anything which may occur. If I live five or six years longer, I expect to see as great an advance during that period as in any corresponding period in the past. I would not be surprised to see the United States having steamers running twenty-five knots an hour, and we would have to increase our subsidy so as not to be behind them. I would be in favour of keeping up with them, even if it costs us a great deal of money.

Hon. Mr. DE BOUCHERVILLE—I wish to correct a wrong impression. The hon. gentleman from La Vallière must have remarked, in moving the resolution, that the condition which he wished to impose in connection with the fast line has been provided for, and that the steamer will not be obliged to touch a French port.

Hon. Mr. ANGERS—My intention was to draw the attention of the government to the fact that if they remove that condition, the amount of the subsidy should be reduced from \$750,000 to \$700,000, so as to recoup

the \$50,000 which we are giving to the French line direct. There would be no object at all in having a vessel run from an English port, where she would have to break bulk, to a French port because that would deprive us of the advantage of the minimum tariff. It would subject us to the surtax. If we have vessels going from Canada direct to France we then get the benefit of the minimum tariff.

Hon. Mr. WOOD—In my remarks I asked if the government could make any definite statement as to whether there would be a condition in this arrangement that these steamers should make their final port of call on this side in Canada, or whether they would be allowed to go to United States ports.

Hon. Sir MACKENZIE BOWELL—One of the conditions of the contract will be that vessels shall ply between England and Canada and nowhere else, and I might state, so far as the ports are concerned, it says from some port in England—they can select what port they please—to Halifax in winter, with permission to go to St. John or any other Canadian port, and the same conditions will be made in reference to Quebec, and Montreal in summer. If the steamers make the trip in the proper time to Quebec, and have a sufficient number of vessels to enable them to proceed to Montreal to receive cargo, they will have the right to go there.

Hon. Mr. DEVER—You mean to say, it would be optional with the contracting company?

Hon. Sir MACKENZIE BOWELL—Yes.

The motion was agreed to and the bill was read the second and third times and passed under a suspension of the rules.

THE FLOODS IN QUEBEC.

THE SPEAKER—Although I am not in order, I desire to draw the attention of the government to the fact that in many places in the province of Quebec we are now suffering from a great calamity. The inundation, in a considerable part of the province, has been very great this year. The fact is, that for some years we have had

these inundations annually, and they are becoming more and more serious. The flood this year is the greatest of all. In many places the water has reached a considerable height, not less than two or three feet higher than it ever touched before. I need not say, hon. gentlemen, that this causes a great deal of distress. Sometimes the flood is attended with loss of life; always with a great loss of time and valuable property of all kinds. Houses, barns, stables and cattle are swept away. Every spring the loss is enormous, and I really believe that one million dollars would not cover the losses sustained through the inundations this year. There was, I know, an investigation made some years ago. I do not know precisely if the government considered that investigation incomplete or unsatisfactory, but one thing is sure, we have never heard anything more of it. I, therefore, would suggest that it is very important that there should be a new investigation, and a very minute study of the whole case should be made and without delay. To the Province of Quebec, it is one of the most important measures that you can deal with at the present moment. There are different ways to prevent a repetition of this calamity. If proper care were taken it could be prevented to a large extent, and there is most urgent reason why it should not be postponed. I therefore would beg the government to take this matter into their most favourable consideration and devise means to relieve that very important part of the country from this annual calamity and the great losses occasioned by the flooding of a very large and most fertile part of the country.

Hon. Sir MACKENZIE BOWELL—There can be no question of the importance of the subject brought under the notice of the Senate by His Honour the Speaker. How far the government should go in the direction indicated by him is a question that would require a good deal of consideration. If, however, any scheme could be devised by which these floods that occur occasionally, not only in the province of Quebec, but in the province of Ontario and other portions of the Dominion, could be prevented, it certainly should be done at anything like a moderate cost. I can only assure the hon. gentleman that the suggestion which he thinks should be carried out will be brought

under the notice of the government, and the Minister of Public Works, in order that they may consider the propriety of having a thorough scientific investigation so as, if possible, to arrive at some conclusion as to whether the object which the hon. gentleman has pointed out can be successfully accomplished. These floods occur, not periodically, but occasionally in all parts of the country. I have seen half of the city in which I live, Belleville, flooded almost up to the second story of the houses in certain portions of the town. This occurred after a very severe winter when the rapid melting of a large quantity of snow in the spring, as has been the case this year, caused a sudden break up. The ice was carried to the mouth of the Moira and blocked it up where it enters the Bay of Quinté, making a complete dam and flooding the water back. The only system we found valuable there was to take time by the forelock, and go up the rivers with dynamite and break up the ice before it began to melt. Of course, in the bay it is still water. There is no current, and consequently when the ice comes down rapidly from the back country, it jams up, as I have indicated, and there it lies. The only way we have been able to relieve the lower portion of the town from flood has been in the manner I have indicated. It has been proposed repeatedly that the back lakes should be dammed and the water held back in that way. How far that would overflow and damage property on the banks of these lakes is a question that would have to be considered, and I suppose in the case of the St. Lawrence it would be much more difficult to manage. I will not fail to bring the matter under the notice of my colleagues.

The House was adjourned during pleasure.

At 5.30 p.m. the sitting was resumed.

NEW SENATORS.

The following senators were introduced, and having taken the oath, and signed the roll, took their seats.

Hon. THOMAS TEMPLE.

Hon. Sir JOHN CARLING.

The Senate then adjourned during pleasure.

At 7.30 P.M., the House was resumed.

THE SUPPLY BILL.

FIRST, SECOND AND THIRD READINGS.

A message was received from the House of Commons with Bill (112) "An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service for the financial years ending respectively the 30th June, 1896, and 30th June, 1897, and for other purposes relating to the public service."

The bill passed through all its stages under a suspension of the Rule.

THE PROROGATION.

At Eight o'clock, P.M., His Excellency the Governor General proceeded in state to the Senate Chamber, in the Parliament Buildings, and took his seat upon the Throne. The members of the Senate being assembled, His Excellency was pleased to command the attendance of the House of Commons, and that House being present, the following Bills were assented to, in Her Majesty's name, by His Excellency the Governor General, viz. :—

An Act to consolidate and amend certain Acts relating to the Nipissing and James Bay Railway Company.

An Act respecting the Guelph Junction Railway Company.

An Act respecting the South Ontario Pacific Railway Company.

An Act respecting the Lake Erie and Detroit River Railway Company.

An Act respecting the St. Lawrence and Adirondack Railway Company.

An Act to confirm a certain lease and agreement between the Grand Trunk Railway Company of Canada and the St. Lawrence and Adirondack Railway Company.

An Act respecting the Nelson and Fort Sheppard Railway Company.

An Act respecting the Brandon and South-Western Railway Company.

An Act respecting the Lindsay, Bobcaygeon and Pontypool Railway Company.

An Act to amend the Act incorporating the Supreme Court of the Independent Order of Foresters.

An Act respecting the St. Lawrence and Ottawa Railway Company.

An Act relating to the Board of Trade of the City of Toronto.

An Act respecting the Huron and Erie Loan and Savings Company.

An Act to incorporate the Queenston Heights Bridge Company.

An Act respecting the Montreal and Ottawa Railway Company.

An Act respecting the Canada and Michigan Bridge and Tunnel Company.

An Act to incorporate the Hamilton Blast Furnace Company.

An Act to incorporate the Imperial Life Assurance Company of Canada.

An Act respecting the South-Western Railway Company and the St. Lawrence and Adirondack Railway Company.

An Act to incorporate the Canadian Peat Fuel Company.

An Act further to amend the Act respecting the Adulteration of Food, Drugs and Agricultural Fertilizers.

An Act respecting the Winnipeg Great Northern Railway Company.

An Act to incorporate the South Shore Suburban Railway Company.

An Act respecting the Montreal Island Belt Line Railway Company.

An Act respecting the Toronto, Hamilton and Buffalo Railway Company.

An Act respecting the Canadian Jockey Club.

An Act respecting the Thousand Islands Railway Company.

An Act to incorporate the Schomberg and Aurora Railway Company.

An Act to amend the Act incorporating the International Radial Railway Company.

An Act to incorporate the National Sanitarium Association.

An Act respecting the Pontiac Pacific Junction Railway Company.

An Act respecting the Montreal Park and Island Railway Company.

An Act respecting the Kingston, Smith's Falls and Ottawa Railway Company.

An Act to incorporate the Huron and Ontario Railway Company.

An Act to revive and amend the Act to incorporate the Alberta Irrigation Company.

An Act respecting the Voters' Lists of 1896.

An Act to provide for the amalgamation of the Bay of Quinté Railway and Navigation Company and the Kingston, Napanee and Western Railway Company, under the name of "The Bay of Quinté Railway Company."

An Act to incorporate the Edmonton District Railway Company.

An Act respecting the Behring Sea Claims Convention.

An Act to amend the Animal Contagious Diseases Act.

An Act further to amend the Customs Tariff 1894.

An Act further to amend the Railway Act.

An Act to incorporate the Montreal and Province Line Railway Company.

An Act further to amend the Act respecting the Senate and House of Commons.

An Act respecting the liability of Her Majesty and Public Companies for Labour used in the Construction of Public Works.

An Act to incorporate the Yukon and British Columbia Trading and Development Company of Canada, Limited.

An Act to incorporate the Manitoba and Northwest Millers' Association.

An Act respecting the Harbour Commissioners of Montreal.

An Act respecting certain debentures of the Montreal Turnpike Trust held by the Government of Canada.

An Act further to amend the Act relating to Ocean Steamship Subsidies.

An Act further to amend the Supreme and Exchequer Courts Act.

An Act respecting Debentures of Loan Companies.

Then the Honourable the Speaker of the House of Commons addressed His Excellency the Governor General as follows :—

"MAY IT PLEASE YOUR EXCELLENCY :

"The Commons of Canada have voted certain Supplies required to enable the Government to defray the expenses of the public service.

"In the name of the Commons, I present to Your Excellency the following Bill :—

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service, for the financial years ending respectively 30th June, 1896, and the 30th June, 1897, and for other purposes relating to the public service, to which Bill I humbly request Your Excellency's assent."

To this Bill the Royal assent was signified in the following words :—

"In Her Majesty's name, His Excellency the Governor General thanks Her Loyal Subjects, accepts their benevolence, and assents to this Bill."

After which His Excellency the Governor General was pleased to close the SIXTH SESSION of the SEVENTH PARLIAMENT of the DOMINION with the following speech :—

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

I am glad to be able to relieve you from further attendance in Parliament.

I desire to express my regret that the mission which my Government recently despatched to confer with the local authorities of Manitoba, has been unproductive of any immediate result, and that the question relating to schools in that province still awaits settlement.

I thank you for the appropriation which you have made towards providing the better arming and equipment of the Militia Forces of the country.

The powers with which you have endowed the Commissioners appointed under the Behring Sea Claims Convention will, I trust, facilitate the investigations of that tribunal and hasten a just settlement of these long standing claims.

Gentlemen of the House of Commons :

I have to thank you for the Supplementary provision you have made for carrying on the services of the current year.

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

Inasmuch as in the opinion of my advisers it is desirable that the judgment of the people upon the questions which now engage public attention should be obtained at an early day, I have to announce my intention of causing this Parliament to be immediately dissolved.

THE SPEAKER of the Senate then said :

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

It is HIS EXCELLENCY THE GOVERNOR GENERAL'S will and pleasure, that this Parliament be prorogued until Tuesday, the second day of June next, to be here held, and this Parliament is accordingly prorogued until the second day of June next.

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The following abbreviations are used:—1st R., 2nd R., 3rd R., 1st, 2nd and 3rd Readings, *without remark or debate; Accts., Accounts; Adj., Adjourn; Adj'd., Adjourned; Amt., Amendment; Amts., Amendments; Amalg., Amalgamation; B., Bill; B.C., British Columbia; Can., Canada or Canadian; Com., Committee; Co., Company, Conc., Concur, Concurred, Concurrence; Consd., Consider; Consdn., Consideration; Cor., Correspondence; Dept., Department; Gov., Government; His Ex., His Excellency the Governor General; H. of C., House of Commons; Incorp., Incorporation; Mess., Message; M., Motion; m., moved; N.W.T., North-west Territories; N.S., Nova Scotia; Ont., Ontario; P.E.I., Prince Edward Island; P.O., Post Office; Par., Paragraph; Ques., Question; Rep., Report, Ret., Return; Ry., Railway; Sel., Select; Wthdn., Withdrawn.

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